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THE

SPEECHES

OF

THE RIGHT HONOURABLE

EDMUND BURKE,

IN

THE HOUSE OF COMMONS,

AND IN

WESTMINSTER-HALL.

27093

IN FOUR VOLUMES.

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CONTENTS

OF

THE SECOND VOLUME.

		Page
1779.		
Dec. 15.	Mr. Burke's Speech on Opening the Outlines of his Plan of Economical Reform ...	1
1780.		
Feb. 11.	Mr. Burke's Speech on moving for leave to bring in a Bill for a General Reform in the Public Economy	10
23.	Copy of Mr. Burke's Bill for the better Regulation of His Majesty's Civil Establishments, and of certain Public Offices; for the Limitation of Pensions, and the Suppression of sundry useless, expensive, and inconvenient Places; and for applying the Monies saved thereby to the Public Service	91
March 8.	Mr. Burke's Speech on the Motion for going into a Committee on the Establishment Bill	117
	Mr. Burke's Speech on the Clause for abolishing the Office of Third Secretary of State	130
13.	Mr. Burke's Speech on the Clause for abolishing the Board of Trade	134
20.	Mr. Burke's Speech on the Clause for abolishing the Offices of Treasurer of the Chamber and others	137
April 28.	Mr. Burke's Speech on the Clauses for abolishing the Office of the Great Wardrobe, the Board of Works, &c.	143
March 21.	Renewal of the East Company's Charter	151

1780.			Page
April	10.	Mr. Dunning's Motion for securing the Independence of Parliament	153
	11.	Punishment of the Pillory	156
May	8.	Bill for shortening the Duration of Parliaments	160
June	6.	Protestant Association — Riots	174
	19.	The Same	176
	20.	The Same	176
1781.			
Jan.	25.	Rupture with Holland	180
Feb.	1.	Mr. Fox's Motion relative to the Appointment of Sir Hugh Palliser to the Government of Greenwich Hospital	183
	15.	Mr. Burke's Bill for the Regulation of the Civil List Establishment	194
	19.	The Same	215
	26.	The Same	218
March	8.	The Budget for the Year 1781	219
April	30.	Causes of the War in the Carnatic	226
May	9.	Affairs of the East India Company	233
	23.	The Same	236
	10.	Lord North's Commission for examining the Public Accounts	240
	14.	Mr. Burke's Motion for an Inquiry into the Seizure and Confiscation of private Property in the Island of St. Eustatius	244
	21.	Ordnance Estimates — State of Pensacola — Relief of Gibraltar, &c.	269
	30.	Mr. Hartley's Motion for a bill to restore Peace with America	274
June	15.	Mr. Fox's Bill for the Repeal of the Marriage Act	277
Nov.	27.	Address on the King's Speech at the Opening of the Session	282
Dec.	3.	Case of Mr. Laurens — Exchange of Prisoners with America	295

1781.		Page
Dec. 17.	Case of Mr. Laurens — Exchange of Prisoners with America	296
20.	The Same	309
4.	Mr. Burke's Motion for an Inquiry into the Confiscation of the Effects taken on the Island of St. Eustatius	313
1782.		
Feb. 4.	The Same	325
22.	General Conway's Motion for putting an End to the American War	328
March. 8.	Lord John Cavendish's Motion of Censure on Ministers	336
20.	Change of Ministry	341
April 15.	The King's Message recommending an effectual Plan of Economy	348
	Contractors' Bill	352
June 14.	Mr. Burke's Bill of Reform in the Civil List Expenditure	354
20.	The Same	356
July 9.	Death of the Marquis of Rockingham — Change of Ministry	358
Dec. 5.	Address on the King's Speech at the Opening of the Session	364
6.	The Same	371
1783.		
Feb. 17.	Address on the Preliminary Articles of Peace	378
March 31.	Coalition between Mr. Fox and Lord North	384
	Williams's Divorce Bill	386
April 25.	East India Affairs	389
May 2.	Messrs. Powell and Bembridge	392
19.	The Same	393
21.	The Same	395
Dec. 1.	Mr. Burke's Speech on Mr. Fox's East India Bill	406
1784.		
Jan. 16.	Mr. Pitt's East India Bill	492

SPEECHES

OF THE

RIGHT HONOURABLE

EDMUND BURKE,

&c. &c.

Mr. Burke's Plan of Economical Reform.

December 15. 1779.

THIS day Mr. Burke opened the outlines of his celebrated Plan of Economical Reform, and gave notice that he would bring forward the business as soon after the Christmas holidays as possible. Upon this occasion,

Mr. Burke, after some observations upon the means which he conceived were used to prevent him from engaging the attention of the House to this interesting subject, said: — A general sense prevails of the profusion with which all our affairs are carried on, and with it a general wish for some sort of reformation. That desire for reformation operates every where, except where it ought to operate most strongly — in this House. The proposition which has been lately made by a truly noble duke, and those propositions which are this very day making, in the other House, by a noble lord of great talents, industry, and eloquence, are, in my opinion, a reproach to us. To us, who claim the exclusive management of the public purse, all interference of the Lords, in our peculiar province, is a reproach. It may be something worse than a reproach; for, if the House of Lords should assume, or, if you please,

should usurp the performance of a duty of ours which we neglect, they will be supported in a usurpation that is necessary to the public. Privileges (even such privileges as ours) are lost by neglect, as well as by abuse: and whenever it becomes evident, that they are kept up as gratifications of pride and self-importance, instead of being employed as instruments of public good, their stability will be only equal to their value. Old parliamentary forms and privileges are no trifles. I freely grant it. But the nation calls for something more substantial than the very best of them: and if form and duty are to be separated, they will prefer the duty without the form, to the form without the duty. If both Lords and Commons should conspire in a neglect of duty; other ways, still more irregular than the interference of the Lords may now appear, will be resorted to: for I conceive the nation will, some way or other, have its business done, or it is a nation no longer.

It is not only the sense and feeling of our country that calls upon us; the call of our enemies is still louder. This is the second year in which France is waging upon us the most dreadful of all wars, a war of economy. M. Neckar has opened his second budget. In the edict of November last, the King of France declares in the preamble, that he has brought his fixed and certain expences to an equilibrium with his receipt. In those fixed expences, he reckons an annual sinking of debt. For the additional services of the war, he borrows only two millions. He borrows not for perpetuity, but for lives; and not a single tax is levied on the subject to fund this loan. The whole is funded on economy, and on improvement of the public revenue.

This fair appearance, I allow, may have something at bottom, which is to be detracted from it. A large unfunded debt is probably left. Be it so. But what is our condition in respect of debts both funded and unfunded? What millions shall we not, must we not, borrow this year? What taxes are we to lay for funding these millions? Which of our taxes already granted, for these three years past, are not deficient? Not one, in my opinion. We

must tax for what is to come; we must tax for what is past; or we shall be at a dead stand in all the operations of the war.

Are we to conceal from ourselves, that the omnipotence of economy alone has, from the rubbish and wrecks and fragments of the late war, already created a marine for France? Are we not informed, that in the disposition and array of the resources of that country, there is a reserve not yet brought forward, very little short of an annual two millions and an half, in the war taxes? Against this masked battery, whenever it shall be opened in the conflict of finance between the two nations, we have not a single work thrown up to cover us. We have nothing at all of the kind to oppose it. The keeping this supply in reserve by France, is the work of economy, of economy in a court formerly the most prodigal, and in an administration of finance the most disorderly and corrupt. Absolute monarchies have been usually the seats of dissipation and profusion; republics of order and good management. France appears to be improved. On our part, indeed, we are not — we are not, indeed, what we have been. And, in our present state, if we will not submit to be taught by an enemy, we must submit to be ruined by him.

On this subject of economy, on the other side of the House they have not so much as dropped a single expression; they have not even thrown an oblique hint which glances that way. A very ingenious gentleman of great consideration, connected with ministry (Mr. Eden), has published a book, much of which is on the subject of finance; the fruit of the throes and labour-pangs of ministry to bring forth taxes, in order to people the waste they have made in the public stock. This gentleman has ransacked every thing, at home and abroad, ancient and modern, to find taxes for that length of war, with the prospect of which he flatters his readers: but though he looks into every corner in the course of his inquisitive and learned research, and descends almost to thrust his nose into the urine tubs of Vespasian; yet in all this straining and

stretching for revenue, he never has once so much as thought of economy. It seems to him a thing wholly out of the question; though the Dutch practice, and Roman principle, to which he looks on other occasions, might have taught him that old and true lesson, *Magnum vectigal est parsimonia.*

The noble lord in the blue ribbon has been so hard driven, that he has had recourse even to the impracticable in taxation. Last year he recommended the scheme of a worthy member of this House, conceived on the most laudable motives, though, in my opinion, not well considered. The scheme was for raising our supplies within the year. The noble lord recommended that scheme, declaring at the same time, that he did not know how to put it in practice — he, the minister of finance! It is however singular, that in all his begettings and adoptions, in all his schemes, practicable and impracticable, he has never once dreamt of economy.

In the House of Lords, the first proposition towards economy, by a noble duke, was rejected by ministers; and but for one reason; and that just the most whimsical in the world — that it would lower the spirits of the people. Very ingenious, indeed! that the economical conduct of their affairs would lower the spirits of the people. Not having any of their lordships' delicate feelings in my plebeian constitution, I know not what to make of this sort of irritability of their fibres. Such nervous sensations are always whimsical and distempered. I know that hypochondriacal people swoon at perfumes, and are recreated by a stench. But I trust there is still enough of health and sound stuff in the habits of Englishmen, to relish things according to their genuine nature; that they will not take mortal offence at not being taxed to the quick; and that they will rather be animated with fresh spirit under their burthens, when they know that not a shilling is laid upon them beyond the absolute necessity of the case.

What the ministers, whose duty it is, and whose place furnishes them with the best means of doing that duty, re-

fuse to do, let us attempt to do for them. Let us supply our defects of power by our fidelity and our diligence. It is true, that we shall labour under great difficulties from the weight of office; and it is a weight that we must absolutely sink under, if we are not supported by the people at large. This House has so much sympathy with the feelings of its constituents, that any endeavour after reformation which tends to weaken the influence of the court, will be coldly received here, if it be not very generally and very warmly called for out of doors. But to offer is all that those out of power can do. If the people are not true to themselves, I am very sure it is not in us to save them.

I cannot help observing, that the whole of our grievances are owing to the fatal and overgrown influence of the crown; and that influence itself to our enormous prodigality. They move in a circle; they become reciprocally cause and effect, and the aggregate product of both is swelled to such a degree, that not only our power as a state, but every vital energy, every active principle of our liberty will be overlaid by it. To this cause I attribute that nearly general indifference to all public interests, which for some years has astonished every man of thought and reflection. Formerly the operation of the influence of the crown only touched the higher orders of the state. It has now insinuated itself into every creek and cranny in the kingdom. There is scarce a family so hidden and lost in the obscurest recesses of the community, which does not feel that it has something to keep or to get, to hope or to fear, from the favour or displeasure of the crown.

The worst of public prodigality is, that what is squandered is not simply lost: it is the source of much positive evil. Those who are negligent stewards of the public estate will neglect every thing else. It introduces a similar inaccuracy, a kindred slovenliness, a correspondent want of care, and a want of foresight into all the national management. What is worst of all, it soon surrounds a supine and inattentive minister with the designing, confident, rapacious, and unprincipled men of all descriptions. They

are a sort of animals sagacious of their proper prey; and they soon drive away from their habitation all contrary natures. A prodigal minister is not only not saving, but he cannot be either just or liberal. No revenue is large enough to provide both for the meritorious and undeserving; to provide for service which is, and for service which is not incurred.

I know that this influence is thought necessary for government. Possibly, in some degree, it may. But I declare, it is for the sake of government, for the sake of restoring to it that reverence, which is its foundation, that I wish to restrain the exorbitance of its influence. Is not every one sensible how much that influence is raised? Is not every one sensible how much authority is sunk? The reason is perfectly evident. Government ought to have force enough for its functions; but it ought to have no more. It ought not to have force enough to support itself in the neglect, or the abuse of them. If it has, they must be, as they are, abused and neglected. Men will throw themselves on their power for a justification of their want of order, vigilance, foresight, and all the virtues, and all the qualifications of a statesman. The minister may exist, but the government is gone.

It is thus that you see the same men, in the same power, sitting undisturbed before you, though thirteen colonies have been lost. It is thus the marine of France and Spain has quietly grown and prospered under their eye, and been fostered by their neglect. It is thus that all hope of alliance in Europe is abandoned. It is thus that three of our West-India islands have been torn from us in a summer. It is thus the most important of all, Jamaica, has been neglected, and all enquiry into that neglect, in this House, stifled. It is thus Ireland has been brought into such a state of distraction, that no one dares even to discuss it; that the bill relating to it, though making great and perplexing changes, is such, that no one knows what to say, or what not to say upon it. Our parliamentary capacity is extinguished by the difficulty of our situation.

The bill has been mumbled over with rapidity; and it passes in the silence of death. Had government any degree of strength, could this possibly have happened? Could the most ancient prerogative of the crown, with relation to the most essential object, the militia, have been annihilated with so much scorn as it has been, even at our doors? Could his majesty have been degraded from the confidence of his people of Ireland in a manner so signal and so disgraceful, that they who have trusted his predecessors in many particulars for ever, and in all, for two years, should have contracted their confidence in him to a poor stinted tenure of six months? Could the government of this country have been thus cast to the ground, and thus dashed to pieces in its fall, if the influence of a court was its natural and proper poise; if corruption was its soundness; and self-interest had the virtue to keep it erect and firm upon its base?

I will not fatigue your patience, I will not oppress your humiliation with further instances of the debility and contempt of your government. The inference I draw from the whole is this, that the present weakness of government is a disease of repletion. The vigour of the limbs is gone, because the stomach has been overfed. I have been clear on the nature of this disease, and on the specific remedy, for a long time. I however kept back my thoughts, partly for reasons of personal want of importance, partly from my own disposition. I am not naturally an economist. I am, besides, cautious of experiment, even to timidity, and I have been reproached for it. But times alter natures. Besides, I never, till lately, saw a temper in the least favourable to reformation. There is now a dawning of hope. I trusted that a ministry might be formed, who would carry some such plan into effect with all the powers of government; and much is lost in not possessing those powers for this purpose. But the present favourable moment is not to be neglected; even under this disadvantage, great as it is, and as I feel it to be.

I have a plan that I think will serve for a basis (it is no more) for public economy and reduction of influence. I

have communicated it to a very few friends, whose approbation I am strengthened by; and I will communicate it to more, who will make it worthy of being brought into parliament. When it is thus matured, I mean to propose it to the consideration of the House, as soon after the Christmas recess as possible. It will not be advisable at this time to open all the particulars. Projectors see no difficulties; and critics see nothing else. When any new propositions are made, unattended by their explanations, their qualifications, and a full stating of their grounds, they are very liable to be decried; especially where men's interests are concerned in decrying them. But I will venture to state the end and object I aim it, though not the means; I will state, too, the limits I fix to myself in what I shall propose to the House.

I mean a regulation, substantial as far as it goes. It will give to the public service 200,000*l.* a-year. It will cut off a quantity of influence equal to the places of fifty members of parliament. I rely more on a plan for removing the means of corruption than upon any devices which may be used to prevent its operation, where these means are suffered to exist. Take away the means of influence, and you render disqualifications unnecessary. Leave them, and no disqualifications can ever wholly prevent their operation on parliament.

My plan stands in the way of no other reformation; but on the contrary, it tends exceedingly to forward all rational attempts towards that great end. It certainly cannot make a careless minister an economist; but the best minister will find the use of it; and it will be no small check on the worst. For its main purpose is to correct the present prodigal constitution of the civil executive government of this kingdom; and unless this be done, I am satisfied no minister whatever can possibly introduce the least economy into the administration of it.

As to my limits: the first is found in the rules of justice, and therefore I do not propose to touch what any private man holds by a legal tenure. The second is in the

rules of equity and mercy. Where offices may be suppressed, which form the whole maintenance of innocent people, it is hard (and hardship is a kind of injustice) that they who were decoyed into particular situations of life, by our fault, should be made the sacrifice of our penitence. I do not mean to starve such people, because we have been prodigal in our establishments. The removals will fall almost wholly on those who hold offices by a tenure, in which they are liable to be, and frequently are, removed for accommodating the arrangements of administration; and surely the accommodation of the public, in a great case like this, is full as material a cause for their removal, as the convenience of any administration, or the displeasure of any minister. The third sort of limits are to be found in the service of the state. No one employment really and substantially useful to the public, and which may not very well be otherwise supplied, is to be retrenched; or to be diminished in its lawful and accustomed emoluments. To cut off such service, or such reward, is what, I conceive, neither politic, nor rational in any sense. The fourth of my limits is, that the fund for the reward of service, or merit, is to be left of sufficient solidity for its probable purposes. The fifth, that the crown shall be left an ample and liberal provision for personal satisfaction; and for as much of magnificence, as is suitable with the burthened state of this country: perhaps, some may think what I shall propose to leave to be more than is decent.

I propose the idea with the properties and with the qualifications I have now expressed. However presumptuous my attempt may appear, it is made with an humble and honest intention, and I will spare no pains to digest and ripen it. I trust it will give confidence to the people, and strength to government; that it will make our state of war vigorous, and our state of peace and repose really refreshing and recruiting.

Mr. Fox, Lord John Cavendish, Mr. Dempster, Mr. Gilbert, and Colonel Barré spoke shortly in approbation of the plan.

February 11. 1780.

THIS day, pursuant to the notice he had given before the recess,

Mr. BURKE rose and addressed the House as follows:

Mr. Speaker, I rise, in acquittal of my engagement to the House, in obedience to the strong and just requisition of my constituents, and, I am persuaded, in conformity to the unanimous wishes of the whole nation, to submit to the wisdom of parliament, "A plan of reform in the constitution of several parts of the public economy."

I have endeavoured that this plan should include in its execution a considerable reduction of improper expence; that it should effect a conversion of unprofitable titles into a productive estate; that it should lead to, and indeed almost compel, a provident administration of such sums of public money as must remain under discretionary trusts; that it should render the incurring debts on the civil establishment (which must ultimately affect national strength and national credit) so very difficult, as to become next to impracticable.

But what, I confess, was uppermost with me, what I bent the whole force of my mind to, was the reduction of that corrupt influence, which is itself the perennial spring of all prodigality, and of all disorder; which loads us more than millions of debt; which takes away vigour from our arms, wisdom from our councils, and every shadow of authority and credit from the most venerable parts of our constitution.

Sir, I assure you, very solemnly, and with a very clear conscience, that nothing in the world has led me to such an undertaking, but my zeal for the honour of this House, and the settled, habitual, systematic affection I bear to the cause, and to the principles of government.

I enter perfectly into the nature and consequences of my attempt; and I advance to it with a tremor that shakes me

to the inmost fibre of my frame. I feel, that I engage in a business in itself most ungracious; totally wide of the course of prudent conduct; and I really think, the most completely adverse that can be imagined, to the natural turn and temper of my own mind. I know, that all parsimony is of a quality approaching to unkindness; and that (on some person or other) every reform must operate as a sort of punishment. Indeed the whole class of the severe and restrictive virtues are at a market almost too high for humanity. What is worse, there are very few of those virtues which are not capable of being imitated, and even outdone in many of their most striking effects, by the worst of vices. Malignity and envy will carve much more deeply, and finish much more sharply, in the work of retrenchment, than frugality and providence. I do not, therefore, wonder that gentlemen have kept away from such a task, as well from good nature as from prudence. Private feeling might, indeed, be overborne by legislative reason; and a man of a long-sighted and strong-nerved humanity, might bring himself, not so much to consider from whom he takes a superfluous enjoyment, as for whom in the end he may preserve the absolute necessaries of life.

But it is much more easy to reconcile this measure to humanity, than to bring it to any agreement with prudence. I do not mean that little, selfish, pitiful, bastard thing, which sometimes goes by the name of a family in which it is not legitimate, and to which it is a disgrace — I mean even that public and enlarged prudence, which, apprehensive of being disabled from rendering acceptable services to the world, withholds itself from those that are invidious. Gentlemen who are, with me, verging towards the decline of life, and are apt to form their ideas of kings from kings of former times, might dread the anger of a reigning prince; — they who are more provident of the future, or by being young are more interested in it, might tremble at the resentment of the successor: they might see a long, dull, dreary, unvaried vista of despair and exclusion, for

half a century, before them. This is no pleasant prospect at the outset of a political journey.

Besides, Sir, the private enemies to be made in all attempts of this kind are innumerable; and their enmity will be the more bitter, and the more dangerous too, because a sense of dignity will oblige them to conceal the cause of their resentment. Very few men of great families and extensive connections, but will feel the smart of a cutting reform, in some close relation, some bosom friend, some pleasant acquaintance, some dear protected dependant. Emolument is taken from some, patronage from others, objects of pursuit from all. Men, forced into an involuntary independence, will abhor the authors of a blessing which in their eyes has so very near a resemblance to a curse. When officers are removed, and the offices remain, you may set the gratitude of some against the anger of others; you may oppose the friends you oblige against the enemies you provoke: but services of the present sort create no attachments. The individual good felt in a public benefit is comparatively so small, and comes round through such an involved labyrinth of intricate and tedious revolutions, whilst a present personal detriment is so heavy where it falls, and so instant in its operation, that the cold commendation of a public advantage never was, and never will be, a match for the quick sensibility of a private loss: and you may depend upon it, Sir, that when many people have an interest in railing, sooner or later, they will bring a considerable degree of unpopularity upon any measure. So that, for the present at least, the reformation will operate against the reformers; and revenge (as against them) will produce all the effects of corruption.

This, Sir, is almost always the case, where the plan has complete success. But how stands the matter in the mere attempt? Nothing, you know, is more common, than for men to wish, and call loudly too, for a reformation, who, when it arrives, do by no means like the severity of its aspect. Reformation is one of those pieces which must be

put at some distance in order to please. Its greatest favourers love it better in the abstract than in the substance. When any old prejudice of their own, or any interest that they value, is touched, they become scrupulous, they become captious, and every man has his separate exception. Some pluck out the black hairs, some the grey; one point must be given up to one, another point must be yielded to another; nothing is suffered to prevail upon its own principle: the whole is so frittered down and disjointed, that scarcely a trace of the original scheme remains! Thus, between the resistance of power, and the unsystematical process of popularity, the undertaker and the undertaking are both exposed, and the poor reformer is hissed off the stage, both by friends and foes.

Observe, Sir, that the apology for my undertaking (an apology which, though long, is no longer than necessary) is not grounded on my want of the fullest sense of the difficult and invidious nature of the task I undertake. I risk odium if I succeed, and contempt if I fail. My excuse must rest in mine and your conviction of the absolute, urgent *necessity* there is that something of the kind should be done. If there is any sacrifice to be made, either of estimation or of fortune, the smallest is the best. Commanders in chief are not to be put upon the forlorn hope. But indeed it is necessary that the attempt should be made. It is necessary from our own political circumstances; it is necessary from the operations of the enemy; it is necessary from the demands of the people; whose desires, when they do not militate with the stable and eternal rules of justice and reason (rules which are above us and above them), ought to be as a law to a House of Commons.

As to our circumstances, I do not mean to aggravate the difficulties of them, by the strength of any colouring whatsoever. On the contrary, I observe, and observe with pleasure, that our affairs rather wear a more promising aspect than they did on the opening of this session. We have had some leading successes. But those who rate them at the highest (higher a great deal than I dare to do) are of opinion, that, upon the ground of such advantages,

we cannot at this time hope to make any treaty of peace, which would not be ruinous and completely disgraceful. In such an anxious state of things, if dawnings of success serve to animate our diligence, they are good; if they tend to increase our presumption, they are worse than defeats. The state of our affairs shall then be as promising as any one may choose to conceive it; it is, however, but promising. We must recollect, that with but half of our natural strength, we are at war against confederated powers who have singly threatened us with ruin; we must recollect, that whilst we are left naked on one side, our other flank is uncovered by any alliance; that whilst we are weighing and balancing our successes against our losses, we are accumulating debt to the amount of at least fourteen millions in the year. That loss is certain.

I have no wish to deny, that our successes are as brilliant as any one chooses to make them; our resources too may, for me, be as unfathomable as they are represented. Indeed they are just whatever the people possess, and will submit to pay. Taxing is an easy business. Any projector can contrive new impositions; any bungler can add to the old. But is it altogether wise to have no other bounds to your impositions than the patience of those who are to bear them?

All I claim upon the subject of your resources is this, that they are not likely to be *increased* by wasting them. I think I shall be permitted to assume, that a system of frugality will not *lessen* your riches, whatever they may be. I believe it will not be hotly disputed, that those resources which lie heavy on the subject ought not to be objects of *preference*; that they ought not to be the *very first choice* to an honest representative of the people.

This is all, Sir, that I shall say upon our circumstances and our resources. I mean to say a little more on the operations of the enemy, because this matter seems to me very natural in our present deliberation. When I look to the other side of the water, I cannot help recollecting what Pyrrhus said on reconnoitering the Roman camp, "These

"Barbarians have nothing barbarous in their discipline." When I look, as I have pretty carefully looked, into the proceedings of the French king, I am sorry to say it, I see nothing of the character and genius of arbitrary finance; none of the bold frauds of bankrupt power; none of the wild struggles and plunges of despotism in distress; no lopping off from the capital of debt; no suspension of interest; no robbery under the name of loan; no raising the value, no debasing the substance of the coin. I see neither Louis XIV. nor Louis XV. On the contrary, I behold, with astonishment, rising before me, by the very hands of arbitrary power, and in the very midst of war and confusion, a regular, methodical system of public credit: I behold a fabric laid on the natural and solid foundations of trust and confidence among men, and rising, by fair gradations, order over order, according to the just rules of symmetry and art. What a reverse of things! Principle, method, regularity, economy, frugality, justice to individuals, and care of the people, are the resources with which France makes war upon Great Britain. God avert the omen! But if we should see any genius in war and politics arise in France to second what is done in the bureau! — I turn my eyes from the consequences.

The noble lord in the blue ribbon, last year, treated all this with contempt. He never could conceive it possible that the French minister of finance could go through that year with a loan of but 1,700,000*l.*, and that he should be able to fund that loan without any tax. The second year, however, opens the very same scene. A small loan, a loan of no more than 2,500,000*l.* is to carry our enemies through the service of this year also. No tax is raised to fund that debt; no tax is raised for the current services. I am credibly informed that there is no anticipation whatsoever. * Compensations are correctly made. Old debts continue

* This term comprehends various retributions made to persons whose offices are taken away, or who, in any other way, suffer by the new arrangements that are made.

to be sunk as in the time of profound peace. Even payments which their treasury had been authorized to suspend during the time of war, are not suspended.

A general reform, executed through every *department of the revenue*, creates an annual income of more than half a million, whilst it facilitates and simplifies all the functions of administration. The king's *household* — at the remotest avenues to which, all reformation has been hitherto stopped — that household, which has been the strong hold of prodigality, the virgin fortress which was never before attacked — has been not only not defended, but it has, even in the forms, been surrendered by the king to the economy of his minister. No capitulation; no reserve. Economy has entered in triumph into the public splendour of the monarch, into his private amusements, into the appointments of his nearest and highest relations. Economy and public spirit have made a beneficent and an honest spoil; they have plundered, from extravagance and luxury, for the use of substantial service, a revenue of near four hundred thousand pounds. The reform of the finances, joined to this reform of the court, gives to the public nine hundred thousand pounds a year and upwards.

The minister who does these things is a great man — But the king who desires that they should be done, is a far greater. We must do justice to our enemies: — these are the acts of a patriot king. I am not in dread of the vast armies of France: I am not in dread of the gallant spirit of its brave and numerous nobility: I am not alarmed even at the great navy which has been so miraculously created. All these things Louis XIV. had before. With all these things, the French monarchy has more than once fallen prostrate at the feet of the public faith of Great Britain. It was the want of public credit which disabled France from recovering after her defeats, or recovering even from her victories and triumphs. It was a prodigal court, it was an ill-ordered revenue, that sapped the foundations of all her greatness. Credit cannot exist under the arm of necessity. Necessity strikes at credit, I allow, with a heavier and

quicker blow under an arbitrary monarchy, than under a limited and balanced government: but still necessity and credit are natural enemies, and cannot be long reconciled in any situation. From necessity and corruption, a free state may lose the spirit of that complex constitution which is the foundation of confidence. On the other hand, I am far from being sure, that a monarchy, when once it is properly regulated, may not for a long time, furnish a foundation for credit upon the solidity of its maxims, though it affords no ground of trust in its institutions. I am afraid I see in England, and in France, something like a beginning of both these things. I wish I may be found in a mistake.

This very short, and very imperfect state of what is now going on in France (the last circumstances of which I received in about eight days after the registry of the edict *)

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* Extract from the edicts published by the King of France, on the subject of national economy, quoted by Mr. Burke in the course of the above speech.

Louis, &c.—Being wholly occupied in establishing order and economy in the expences of our household, in as great a degree as consists with the dignity of our crown, we have considered, that it will be conducive to this end to re-unite to us all the offices of our private household, part of which had been alienated by the kings our predecessors, under the titles of casual revenues, and had thereby become a heavy charge to the crown; as we shall therefore become alone interested in the number and value of these offices, we shall be more at liberty to abolish such as appear to be useless, to determine the emolument, to consult only, in these arrangements, our general views of administration. We shall refer to ourselves to examine in our justice what disadvantages may ensue to our chief officers, and those of the queen, our dearest wife and companion, from the deprivation of those casual revenues, which add nothing in splendour equal to their immense charge. We will besides preserve to them their various privileges; and they always shall be, as they at present are, eminently distinguished by the rank and dignity of the persons to whom they are entrusted.

' For these causes, &c.'

This edict is composed of three articles.

Extract from the King's Edict for the suppression of the charge of comptroller-general of the king's household, and the money-chamber,

I do not, Sir, lay before you for any invidious purpose. It is in order to excite in us the spirit of a noble emulation. —

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the lieutenant-comptroller-general of furniture belonging to the crown; the office of comptroller-general of the stables, of lieutenant-comptroller-general of the plate, household amusements, and affairs of the king's chamber; and of the two offices of comptroller-general of the queen's household; with the establishment of a general office for the expence of the household.—Given at Versailles, in the month of January, 1780.

Louis, &c.—Having reflected, that, without essential alterations in the direction of the expences of our household, we should hardly be able to establish a permanent improvement in the conducting of them, we have begun by reducing the great number of coffers and treasuries to one only. We have, by our edict of this day, united all the officers of our household with the casual revenues; and now, to render the plan we have prescribed to ourselves more complete, we have thought proper to suppress the offices of comptroller-general of our household, and of the money-chamber; that of the lieutenant-comptroller-general of the furniture belonging to the crown; the offices of lieutenants and comptrollers-general of our stables, those of lieutenants and comptrollers-general of the plate, the household amusements, and affairs of our chamber; the two offices of comptrollers-general to the queen's household, our dearest wife and companion; and we will that all these offices shall be paid in ready money after their liquidation. At the same time we have thought proper to establish a general office for the expences of our household, which shall be composed of two magistrates taken from our chamber of accounts, and five commissioners-general which shall be thrown out by this arrangement, and who, in uniting their different knowledge, will be very capable of conducting, with spirit and uniformity, the whole expences of our household. This office is to be immediately employed in a full examination of every part of it, in order to produce the greatest perspicuity, for the purpose of introducing all the improvements of every kind, which the business is capable of; and shall render an exact account of their operations both to the minister of our household, and that of finances, for the better introducing in this establishment every alteration which shall be found useful, and to the execution of which there yet remains every obstacle; that they may thus be immediately known and removed, and that our general administration being thus drawn into one common office, may receive all the lights necessary for accomplishing the plan we have approved. We keep our high and chief officers in the honourable situation of receiving our orders immediately from us, transmitting them, and watching that they are put into exe-

Let the nations make war upon each other (since we must make war) not with a low and vulgar malignity, but by a competition of virtues. This is the only way by which both parties can gain by war. The French have imitated us; let us through them, imitate ourselves; ourselves in our better and happier days. If public frugality, under whatever men, or in whatever mode of government, is national strength, it is a strength which our enemies are in possession of before us.

Sir, I am well aware, that the state and the result of the French economy which I have laid before you, are even now lightly treated by some, who ought never to speak but from information. Pains have not been spared, to represent them as impositions on the public. Let me tell you, Sir, that the creation of a navy, and a two years' war without taxing, are a very singular species of imposture. But be it so. For what end does Neekar carry on this delusion? Is it to lower the estimation of the crown he serves, and to render his own administration contemptible? No! no! He is conscious, that the sense of mankind is so clear and decided in favour of economy, and of the weight and value of its resources, that he turns himself to every species of fraud and artifice, to obtain the mere reputation of it. Men do not affect a conduct that tends to their discredit. Let us, then, get the better of Monsieur

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cution. But they being called out on our service in our provinces and armies, and not having time to spare in inspecting the particulars of finance and economy, which require continual assiduity and watchfulness, we imagine they will behold, without pain, this part of our administration separated from their noble offices near our person; and we have too much experienced their zeal and attachment not to be convinced that they will eagerly second the general plan for the establishment of regularity in our finances, and to prove more and more to our faithful subjects, how much it is our desire to avoid having recourse to new taxes, till we have estimated all the resources arising from this system of order and economy.

'For these causes, &c.'

This edict consists of 16 articles.

Neckar in his own way. Let us do in reality what he does only in pretence. Let us turn his French tinsel into English gold. Is then the mere opinion and appearance of frugality and good management of such use to France, and is the substance to be so mischievous to England? Is the very constitution of nature so altered by a sea of twenty miles, that economy should give power on the continent, and that profusion should give it here? For God's sake let not this be the only fashion of France which we refuse to copy.

To the last kind of necessity, the desires of the people, I have but a very few words to say. The ministers seem to contest this point; and affect to doubt, whether the people do really desire a plan of economy in the civil government. Sir, this is too ridiculous. It is impossible that they should not desire it. It is impossible that a prodigality which draws its resources from their indigence, should be pleasing to them. Little factions of pensioners, and their dependants, may talk another language. But the voice of nature is against them; and it will be heard. The people of England will not, they cannot take it kindly, that representatives should refuse to their constituents, what an absolute sovereign voluntarily offers to his subjects. The expression of the petitions is, that "*before any new burthens are laid upon this country, effectual measures be taken by this House, to enquire into, and correct, the gross abuses in the expenditure of public money.*"

This has been treated by the noble lord in the blue ribbon as a wild factious language. It happens, however, that the people in their address to us use almost word for word the same terms as the king of France uses in addressing himself to his people; and it differs only, as it falls short of the French king's idea of what is due to his subjects. "To convince," says he, "our faithful subjects of *the desire we entertain not to recur to new impositions*, until we have first exhausted all the resources which order and economy can possibly supply," &c. &c.

These desires of the people of England, which come far

short of the voluntary concessions of the king of France, are moderate indeed. They only contend that we should interweave some economy with the taxes with which we have chosen to begin the war. They request, not that you should rely upon economy exclusively, but that you should give it rank and precedence, in the order of the ways and means of this single session.

But if it were possible, that the desires of our constituents, desires which are at once so natural, and so very much tempered and subdued, should have no weight with an House of Commons, which has its eye elsewhere; I would turn my eyes to the very quarter to which theirs are directed. I would reason this matter with the House, on the mere policy of the question; and I would undertake to prove, that an early dereliction of abuse, is the direct interest of government, of government taken abstractedly from its duties, and considered merely as a system intending its own conservation.

If there is any one eminent criterion, which, above all the rest, distinguishes a wise government from an administration weak and improvident, it is this; — "well to know the best time and manner of yielding, what it is impossible to keep." There have been, Sir, and there are, many who choose to chicane with their situation, rather than be instructed by it. Those gentlemen argue against every desire of reformation, upon the principles of a criminal prosecution. It is enough for them to justify their adherence to a pernicious system, that it is not of their contrivance; that it is an inheritance of absurdity, derived to them from their ancestors; that they can make out a long and unbroken pedigree of mismanagers that have gone before them. They are proud of the antiquity of their house; and they defend their errors, as if they were defending their inheritance: afraid of derogating from their nobility; and carefully avoiding a sort of blot in their scutcheon, which they think would degrade them for ever.

It was thus that the unfortunate Charles the First defended himself on the practice of the Stuart who went before

him, and of all the Tudors; his partizans might have gone to the Plantagenets. They might have found bad examples enough, both abroad and at home, that could have shewn an antient and illustrious descent. But there is a time, when men will not suffer bad things because their ancestors have suffered worse. There is a time, when the hoary head of inveterate abuse, will neither draw reverence nor obtain protection. If the noble lord in the blue ribbon pleads, "*not guilty*," to the charges brought against the present system of public economy, it is not possible to give a fair verdict by which he will not stand acquitted. But pleading is not our present business. His plea or his traverse may be allowed as an answer to a charge, when a charge is made. But if he puts himself in the way to obstruct reformation, then the faults of his office instantly become his own. Instead of a public officer in an abusive department, whose province is an object to be regulated, he becomes a criminal who is to be punished. I do most seriously put it to administration, to consider the wisdom of a timely reform. Early reformations are amicable arrangements with a friend in power: late reformations are terms imposed upon a conquered enemy: early reformations are made in cool blood; late reformations are made under a state of inflammation. In that state of things the people behold in government nothing that is respectable. They see the abuse, and they will see nothing else: they fall into the temper of a furious populace provoked at the disorder of a house of ill fame; they never attempt to correct or regulate; they go to work by the shortest way: they abate the nuisance, they pull down the house.

This is my opinion with regard to the true interest of government. But as it is the interest of government that reformation should be early, it is the interest of the people that it should be temperate. It is their interest, because a temperate reform is permanent; and because it has a principle of growth. Whenever we improve, it is right to leave room for a further improvement. It is right to consider, to look about us, to examine the effect of

what we have done. Then we can proceed with confidence, because we can proceed with intelligence. Whereas in hot reformations, in what men, more zealous than considerate, call *making clear work*, the whole is generally so crude, so harsh, so indigested; mixed with so much imprudence, and so much injustice; so contrary to the whole course of human nature and human institutions, that the very people who are most eager for it, are among the first to grow disgusted at what they have done. Then some part of the abdicated grievance is recalled from its exile in order to become a corrective of the correction. Then the abuse assumes all the credit and popularity of a reform. The very idea of purity and disinterestedness in politics falls into disrepute, and is considered as a vision of hot and inexperienced men; and thus disorders become incurable, not by the virulence of their own quality, but by the unapt and violent nature of the remedies. A great part, therefore, of my idea of reform is meant to operate gradually; some benefits will come at a nearer, some at a more remote period. We must no more make haste to be rich by parsimony, than by intemperate acquisition.

In my opinion, it is our duty when we have the desires of the people before us, to pursue them, not in the spirit of literal obedience, which may militate with their very principle, much less to treat them with a peevish and contentious litigation, as if we were adverse parties in a suit. It would, Sir, be most dishonourable for a faithful representative of the Commons, to take advantage of any inartificial expression of the people's wishes, in order to frustrate their attainment of what they have an undoubted right to expect. We are under infinite obligations to our constituents, who have raised us to so distinguished a trust, and have imparted such a degree of sanctity to common characters. We ought to walk before them with purity, plainness, and integrity of heart; with filial love, and not with slavish fear, which is always a low and tricking thing. For my own part, in what I have meditated upon that subject, I cannot indeed take upon me to say I have the honour *to follow* the

sense of the people. The truth is, *I met it on the way*, while I was pursuing their interest according to my own ideas. I am happy beyond expression, to find that my intentions have so far coincided with theirs, that I have not had cause to be in the least scrupulous to sign their petition, conceiving it to express my own opinions, as nearly as general terms can express the object of particular arrangements.

I am therefore satsified to act as a fair mediator between government and the people, endeavouring to form a plan which should have both an early and a temperate operation. I mean, that it should be substantial; that it should be systematic; that it should rather strike at the first cause of prodigality and corrupt influence, than attempt to follow them in all their effects.

It was to fulfil the first of these objects, (the proposal of something substantial,) that I found myself obliged at the outset, to reject a plan proposed by an honourable and attentive member of parliament *, with very good intentions on his part, about a year or two ago. Sir, the plan I speak of, was the tax of 25 *per cent.* moved upon places and pensions during the continuance of the American war. Nothing, Sir, could have met my ideas more than such a tax, if it was considered as a practical satire on that war, and as a penalty upon those who *led* us into it; but in any other view it appeared to me very liable to objections. I considered the scheme as neither substantial, nor permanent, nor systematical, nor likely to be a corrective of evil influence. I have always thought employments a very proper subject of regulation, but a very ill-chosen subject for a tax. An equal tax upon property is reasonable; because the object is of the same quality throughout. The species is the same, it differs only in its quantity: but a tax upon salaries is totally of a different nature; there can be no equality, and consequently no justice, in taxing them by the hundred, in the gross.

* Thomas Gilbert, Esq. member for Litchfield.

We have, Sir, on our establishment, several offices which perform real service: we have also places that provide large rewards for no service at all. We have stations which are made for the public decorum; made for preserving the grace and majesty of a great people. We have likewise expensive formalities, which tend rather to the disgrace than the ornament of the state and the court. This, Sir, is the real condition of our establishments. To fall with the same severity on objects so perfectly dissimilar, is the very reverse of a reformation. I mean a reformation framed, as all serious things ought to be, in number, weight, and measure. Suppose, for instance, that two men receive a salary of 800*l.* a year each. In the office of one, there is nothing at all to be done; in the other, the occupier is oppressed by its duties. Strike off twenty-five *per cent.* from these two offices, you take from one man 200*l.*, which in justice he ought to have, and you give in effect to the other 600*l.*, which he ought not to receive. The public robs the former, and the latter robs the public; and this mode of mutual robbery is the only way in which the office and the public can make up their accounts.

But the balance in settling the account of this double injustice, is much against the state. The result is short. You purchase a saving of two hundred pounds by a profusion of six. Besides, Sir, whilst you leave a supply of unsecured money behind, wholly at the discretion of ministers, they make up the tax to such places as they wish to favour, or in such new places as they may choose to create. Thus the civil list becomes oppressed with debt; and the public is obliged to repay, and to repay with an heavy interest, what it has taken by an injudicious tax. Such has been the effect of the taxes hitherto laid on pensions and employments, and it is no encouragement to recur again to the same expedient.

In effect, such a scheme is not calculated to produce, but to prevent reformation. It holds out a shadow of present gain to a greedy and necessitous public, to divert

their attention from those abuses, which in reality are the great causes of their wants. It is a composition to stay enquiry; it is a fine paid by mismanagement, for the renewal of its lease. What is worse, it is a fine paid by industry and merit, for an indemnity to the idle and the worthless. But I shall say no more upon this topic, because (whatever may be given out to the contrary) I know that the noble lord in the blue ribbon perfectly agrees with me in these sentiments.

After all that I have said on this subject, I am so sensible, that it is our duty to try every thing which may contribute to the relief of the nation, that I do not attempt wholly to reprobate the idea even of a tax. Whenever, Sir, the incumbrance of useless office, (which lies no less a dead weight upon the service of the state, than upon its revenues,) shall be removed; — when the remaining offices shall be classed according to the just proportion of their rewards and services, so as to admit the application of an equal rule to their taxation;—when the discretionary power over the civil-list cash shall be so regulated, that a minister shall no longer have the means of repaying with a private, what is taken by a public hand; — if after all these preliminary regulations, it should be thought that a tax on places is an object worthy of the public attention, I shall be very ready to lend my hand to a reduction of their emoluments.

Having thus, Sir, not so much absolutely rejected, as postponed, the plan of a taxation of office, — my next business was to find something which might be really substantial and effectual. I am quite clear, that if we do not go to the very origin and first ruling cause of grievances, we do nothing. What does it signify to turn abuses out of one door, if we are to let them in at another? What does it signify to promote economy upon a measure, and to suffer it to be subverted in the principle? Our ministers are far from being wholly to blame for the present ill order which prevails. Whilst institutions directly repugnant to

good management are suffered to remain, no effectual or lasting reform *can* be introduced.

I therefore thought it necessary, as soon as I conceived thoughts of submitting to you some plan of reform, to take a comprehensive view of the state of this country; to make a sort of survey of its jurisdictions, its estates, and its establishments. Something, in every one of them, seemed to me to stand in the way of all economy in their administration, and prevented every possibility of methodizing the system. But being, as I ought to be, doubtful of myself, I was resolved not to proceed in an *arbitrary* manner, in any particular which tended to change the settled state of things, or in any degree to affect the fortune or situation, the interest or the importance, of any individual. By an arbitrary proceeding, I mean one conducted by the private opinions, tastes, or feelings, of the man who attempts to regulate. These private measures are not standards of the exchequer, nor balances of the sanctuary. General principles cannot be debauched or corrupted by interest or caprice; and by those principles I was resolved to work.

Sir, before I proceed further, I will lay these principles fairly before you, that afterwards you may be in a condition to judge whether every object of regulation, as I propose it, comes fairly under its rule. This will exceedingly shorten all discussion between us, if we are perfectly in earnest in establishing a system of good management. I therefore lay down to myself seven fundamental rules; they might indeed be reduced to two or three simple maxims, but they would be too general, and their application to the several heads of the business before us would not be so distinct and visible. I conceive, then,

First, That all jurisdictions which furnish more matter of expence, more temptation to oppression, or more means and instruments of corrupt influence, than advantage to justice or political administration, ought to be abolished.

Secondly, That all public estates which are more subservient to the purposes of vexing, overawing, and influencing those who hold under them, and to the expence

of perception and management, than of benefit to the revenue, ought upon every principle, both of revenue and of freedom, to be disposed of.

Thirdly, That all offices which bring more charge than proportional advantage to the state; that all offices which may be engrafted on others, uniting and simplifying their duties, ought, in the first case, to be taken away; and in the second, to be consolidated.

Fourthly, That all such offices ought to be abolished as obstruct the prospect of the general superintendant of finance; which destroy his superintendancy; which disable him from foreseeing and providing for charges as they may occur; from preventing expence in its origin, checking it in its progress, or securing its application to its proper purposes. A minister under whom expences can be made without his knowledge, can never say what it is that he can spend or what it is that he can save.

Fifthly, That it is proper to establish an invariable order in all payments; which will prevent partiality; which will give preference to services, not according to the importunity of the demandant, but the rank and order of their utility or their justice.

Sixthly, That it is right to reduce every establishment, and every part of an establishment (as nearly as possible) to certainty, the life of all order and good management.

Seventhly, That all subordinate treasuries, as the nurseries of mismanagement, and as naturally drawing to themselves as much money as they can, keeping it as long as they can, and accounting for it as late as they can, ought to be dissolved. They have a tendency to perplex and distract the public accounts, and to excite a suspicion of government, even beyond the extent of their abuse.

Under the authority and with the guidance of those principles, I proceed; wishing that nothing in any establishment may be changed, where I am not able to make a strong, direct, and solid application of those principles, or of some one of them. An economical constitution is a necessary basis for an economical administration,

First, with regard to the sovereign jurisdictions, I must observe, Sir, that whoever takes a view of this kingdom in a cursory manner, will imagine, that he beholds a solid, compacted, uniform system of monarchy; in which all inferior jurisdictions are but as rays diverging from one centre. But on examining it more nearly, you find much excentricity and confusion. It is not a *monarchy* in strictness. But, as in the Saxon times this country was an heptarchy, it is now a strange sort of *pentarchy*. It is divided into five several distinct principalities, besides the supreme. There is indeed this difference from the Saxon times, that as in the itinerant exhibitions of the stage, for want of a complete company, they are obliged to cast a variety of parts on their chief performer; so our sovereign condescends himself to act, not only the principal, but all the subordinate parts in the play. He condescends to dissipate the royal character, and to trifle with those light, subordinate, lackered sceptres, in the hands that sustain the ball which represents the world, or which wield the trident that commands the ocean. Cross a brook, and you lose the King of England; but you have some comfort in coming again under his majesty, though "shorn of his beams," and no more than Prince of Wales. Go to the north, and you find him dwindled to a Duke of Lancaster; turn to the west of that north, and he pops upon you in the humble character of Earl of Chester. Travel a few miles on, the Earl of Chester disappears; and the king surprises you again as Count Palatine of Lancaster. If you travel beyond Mount Edgecombe, you find him once more in his incognito, and he is Duke of Cornwall. So that, quite fatigued and satiated with this dull variety, you are infinitely refreshed when you return to the sphere of his proper splendour, and behold your amiable sovereign in his true, simple, and undisguised, native character of majesty.

In every one of these five principalities, duchies, palatinates, there is a regular establishment of considerable expence, and most domineering influence. As his majesty submits to appear in this state of subordination to himself,

so his loyal peers and faithful commons attend his royal transformations; and are not so nice as to refuse to nibble at those crumbs of emolument which console their petty metamorphoses. Thus every one of these principalities has the apparatus of a kingdom, for the jurisdiction over a few private estates; and the formality and charge of the exchequer of Great Britain, for collecting the rents of a country 'squire. Cornwall is the best of them; but when you compare the charge with the receipt, you will find that it furnishes no exception to the general rule. The duchy and county palatine of Lancaster do not yield, as I have reason to believe, on an average of twenty years, four thousand pounds a year, clear to the crown. As to Wales, and the county palatine of Chester, I have my doubts, whether their productive exchequer yields any returns at all. Yet one may say, that this revenue is more faithfully applied to its purposes than any of the rest; as it exists for the sole purpose of multiplying offices, and extending influence.

An attempt was lately made to improve this branch of local influence, and to transfer it to the fund of general corruption. I have on the seat behind me, the constitution of Mr. John Probert; a knight-errant, dubbed by the noble lord in the blue ribbon, and sent to search for revenues and adventures upon the mountains of Wales. The commission is remarkable; and the event not less so. The commission sets forth, that "Upon a report of the *deputy auditor* (for there is a deputy auditor) of the principality of Wales, it appeared, that his majesty's land-revenues in the said principality *are greatly diminished*;"—and "that upon a *report* of the *surveyor general* of his majesty's land revenues, upon a *memorial* of the auditor of his majesty's revenues *within the said principality*, that his mines and forests have produced very *little profit either to the public revenue, or to individuals*;"—and therefore they appoint Mr. Probert, with a pension of three hundred pounds a year, from the said principality, to try whether he can make any thing more of that very *little* which is stated to

be so *greatly* diminished. "*A beggarly account of empty boxes.*" And yet, Sir, you will remark, that this diminution from littleness (which serves only to prove the infinite divisibility of matter) was not for want of the tender and officious care (as we see) of surveyors general, and surveyors particular; of auditors and deputy auditors; not for want of memorials, and remonstrances, and reports, and commissions, and constitutions, and inquisitions, and pensions.

Probert, thus armed, and accoutred,—and paid, proceeded on his adventure;—but he was no sooner arrived on the confines of Wales, than all Wales was in arms to meet him. That nation is brave, and full of spirit. Since the invasion of King Edward, and the massacre of the bards, there never was such a tumult, and alarm, and uproar, through the region of Prestatyn. Snowden shook to its base; Cader Edris was loosened from its foundations. The fury of litigious war blew her horn on the mountains. The rocks poured down their goatherds, and the deep caverns vomited out their miners. Every thing above ground, and every thing under ground, was in arms.

In short, Sir, to alight from my Welsh Pegasus, and to come to level ground; the *preux* Chevalier Probert went to look for revenue, like his masters upon other occasions; and like his masters, he found rebellion. But we were grown cautions by experience. A civil war of paper might end in a more serious war; for now remonstrance met remonstrance, and memorial was opposed to memorial. The wise Britons thought it more reasonable, that the poor, wasted, decrepit revenue of the principality, should die a natural than a violent death. They chose that their ancient moss-grown castles should moulder into decay, under the silent touches of time, and the slow formality of an oblivious and drowsy exchequer, than that they should be battered down all at once by the lively efforts of a pensioned engineer. As it is the fortune of the noble lord to whom the auspices of this campaign belonged, frequently to provoke resistance, so it is his rule and his nature to

yield to that resistance *in all cases whatsoever*. He was true to himself on this occasion. He submitted with spirit to the spirited remonstrances of the Welsh. Mr. Probert gave up his adventure, and keeps his pension;—and so ends "the famous history of the revenue adventures of the bold Baron North, and the good Knight Probert, upon the mountains of Venodotia."

In such a state is the exchequer of Wales at present, that, upon the report of the Treasury itself, its *little* revenue is *greatly* diminished; and we see by the whole of this strange transaction, that an attempt to improve it, produces resistance; the resistance produces submission; and the whole ends in pension.*

It is nearly the same with the revenues of the duchy of Lancaster. To do nothing with them is extinction; to improve them is oppression. Indeed, the whole of the estates which support these minor principalities, is made up, not of revenues, and rents, and profitable fines, but of claims, of pretensions, of vexations, of litigations. They are exchequers of unfrequent receipt, and constant charge; a system of finances not fit for an economist who would be rich; not fit for a prince who would govern his subjects with equity and justice.

It is not only between prince and subject, that these mock jurisdictions, and mimic revenues, produce great mischief. They excite among the people a spirit of informing, and delating; a spirit of supplanting and undermining one another. So that many in such circumstances, conceive it advantageous to them, rather to continue subject to vexation themselves, than to give up the means and chance of vexing others. It is exceedingly common

* Here Lord North shook his head, and told those who sat near him, that Mr. Probert's pension was to depend on his success. It may be so. Mr. Probert's pension was, however, no essential part of the question; nor did Mr. B. care whether he still possessed it or not. His point was, to shew the ridicule of attempting an improvement of the Welsh revenue under its present establishment.

for men to contract their love to their country, into an attachment to its petty subdivisions; and they sometimes even cling to their provincial abuses, as if they were franchises, and local privileges. Accordingly, in places where there is much of this kind of estate, persons will be always found, who would rather trust to their talents in recommending themselves to power for the renewal of their interests, than to incumber their purses, though never so lightly, in order to transmit independence to their posterity. It is a great mistake, that the desire of securing property is universal among mankind. Gaming is a principle inherent in human nature. It belongs to us all. I would therefore break those tables; I would furnish no evil occupation for that spirit; I would make every man look every where, except to the intrigue of a court, for the improvement of his circumstances, or the security of his fortune. I have in my eye a very strong case in the duchy of Lancaster (which lately occupied Westminster-hall, and the House of Lords) as my voucher for many of these reflections.*

For what plausible reason are these principalities suffered to exist? When a government is rendered complex (which in itself is no desirable thing) it ought to be for some political end, which cannot be answered otherwise. Subdivisions in government, are only admissible in favour of the dignity of inferior princes, and high nobility; or for the support of an aristocratic confederacy under some head; or for the conservation of the franchises of the people in some privileged province. Such, for the two former of these ends, are the subdivisions in favour of the electoral, and other princes in the empire; for the latter of these purposes, are the jurisdictions of the imperial cities, and the Hanse towns. For the latter of these ends, are also the countries of the States [*Pais d'Etats*] and cer-

* Case of Richard Lee, Esq. Appellant, against George Venables Lord Vernon, Respondent, in the year 1776.

tain cities, and orders in France. These are all regulations with an object, and some of them with a very good object. But how are the principles of any of these subdivisions applicable in the case before us?

Do they answer any purpose to the king? The principality of Wales was given by patent to Edward the Black Prince, on the ground on which it has stood ever since.—Lord Coke sagaciously observes upon it, "That in the charter of creating the Black Prince Edward Prince of Wales, there is a *great mystery* — for *less* than an estate of inheritance, so *great* a prince *could* not have, and an *absolute estate of inheritance* in so *great* a principality as Wales (this principality being *so dear* to him) he *should* not have; and therefore it was made, *sibi et heredibus suis regibus Angliæ*, that by his decease, or attaining to the crown, it might be extinguished in the crown."

For the sake of this foolish *mystery*, of what a great prince *could* not have *less*, and *should* not have *so much*, of a principality which was too *dear* to be given, and too *great* to be kept — and for no other cause, that ever I could find — this form and shadow of a principality without any substance, has been maintained. That you may judge in this instance (and it serves for the rest) of the difference between a great and a little economy, you will please to recollect, Sir, that Wales may be about the tenth part of England in size and population; and certainly not a hundreth part in opulence. Twelve judges perform the whole of the business, both of the stationary and the itinerant justice of this kingdom; but for Wales, there are eight judges. There is in Wales an exchequer, as well as in all the duchies, according to the very best and most authentic absurdity of form. There are in all of them, a hundred more difficult trifles and laborious fooleries, which serve no other purpose than to keep alive corrupt hope and servile dependence.

These principalities are so far from contributing to the ease of the king, to his wealth, or his dignity, that they render both his supreme and his subordinate authority perfectly ridiculous. It was but the other day, that that

pert, factious fellow, the Duke of Lancaster, presumed to fly in the face of his liege lord, our gracious sovereign; and *associating* with a parcel of lawyers as factious as himself, to the destruction of *all law and order*, and *in committees leading directly to rebellion* — presumed to go to law with the king. The object is neither your business nor mine. Which of the parties got the better, I really forget. I think it was (as it ought to be) the king. The material point is, that the suit cost about fifteen thousand pounds. But as the Duke of Lancaster is but a sort of *duke Humphrey*, and not worth a groat, our sovereign was obliged to pay the costs of both. Indeed this art of converting a great monarch into a little prince, this royal masquerading, is a very dangerous and expensive amusement; and one of the king's *menus plaisirs*, which ought to be reformed. This duchy, which is not worth four thousand pounds a year at best, to *revenue*, is worth forty or fifty thousand to *influence*.

The duchy of *Lancaster*, and the county palatine of *Lancaster*, answered, I admit, some purpose in their original creation. They tended to make a subject imitate a prince. When *Henry the Fourth* from that stair ascended the throne, high-minded as he was, he was not willing to kick away the ladder. To prevent that principality from being extinguished in the crown, he severed it by act of parliament. He had a motive, such as it was. He thought his title to the crown unsound, and his possession insecure. He therefore managed a retreat in his duchy; which *Lord Coke* calls (I do not know why) *par multis regnis*. He flattered himself that it was practicable to make a projecting point half way down, to break his fall from the precipice of royalty: as if it were possible for one who had lost a kingdom to keep any thing else. However, it is evident that he thought so. When *Henry the Fifth* united, by act of parliament, the estates of his mother to the duchy, he had the same predilection with his father, to the root of his family honours, and the same policy in enlarging the sphere of a possible retreat from the slippery royalty of

the two great crowns he held. All this was changed by *Edward the Fourth.* He had no such family partialities, and his policy was the reverse of that of Henry the Fourth and Henry the Fifth. He accordingly again united the duchy of Lancaster to the crown. But when *Henry the Seventh,* who chose to consider himself as of the house of Lancaster, came to the throne, he brought with him the old pretensions, and the old politics of that house. A new act of parliament, a second time, dissevered the duchy of Lancaster from the crown; and in that line things continued until the subversion of the monarchy, when principalities and powers fell along with the throne. The duchy of Lancaster must have been extinguished, if *Cromwell,* who began to form ideas of aggrandizing his house, and raising the several branches of it, had not caused the duchy to be again separated from the commonwealth, by an act of the parliament of those times.

What partiality, what objects of the politics of the house of Lancaster, or of Cromwell, has his present majesty, or his majesty's family? What power have they within any of these principalities, which they have not within their kingdom? In what manner is the dignity of the nobility concerned in these principalities? What rights have the subject there, which they have not at least equally in every other part of the nation? These distinctions exist for no good end to the king, to the nobility, or to the people. They ought not to exist at all. If the crown (contrary to its nature, but most conformably to the whole tenor of the advice that has been lately given) should so far forget its dignity, as to contend, that these jurisdictions and revenues are estates of private property, I am rather for acting as if that groundless claim were of some weight, than for giving up that essential part of the reform. I would value the clear income, and give a clear annuity to the crown, taken on the medium produce for twenty years.

If the crown has any favourite name or title, if the subject has any matter of local accommodation within any of these jurisdictions, it is meant to preserve them; and to

improve them, if any improvement can be suggested. As to the crown reversions or titles, upon the property of the people there, it is proposed to convert them from a snare to their independence, into a relief from their burthens. I propose, therefore, to unite all the five principalities to the crown, and to its ordinary jurisdiction, to abolish all those offices that produce an useless and chargeable separation from the body of the people, — to compensate those who do not hold their offices (if any such there are) at the pleasure of the crown, — to extinguish vexatious titles by an act of short limitation, — to sell those unprofitable estates which support useless jurisdictions, and to turn the tenant-right into a fee, on such moderate terms as will be better for the state than its present right, and which it is impossible for any rational tenant to refuse.

As to the duchies, their judicial economy may be provided for without charge. They have only to fall of course into the common county administration. A commission more or less made or omitted, settles the matter fully. As to Wales, it has been proposed to add a judge to the several courts of Westminster-hall; and it has been considered as an improvement in itself. For my part, I cannot pretend to speak upon it with clearness or with decision; but certainly this arrangement would be more than sufficient for Wales. My original thought was to suppress five of the eight judges; and to leave the chief justice of Chester, with the two senior judges; and, to facilitate the business, to throw the twelve counties into six districts, holding the sessions alternately in the counties of which each district shall be composed. But on this I shall be more clear, when I come to the particular bill.

Sir, the House will now see whether, in praying for judgment against the minor principalities, I do not act in conformity to the laws that I had laid down to myself, of getting rid of every jurisdiction more subservient to oppression and expence, than to any end of justice or honest policy; of abolishing offices more expensive than useful; of combining duties improperly separated; of changing revenues

more vexatious than productive, into ready money; of suppressing offices which stand in the way of economy; and of cutting off lurking subordinate treasuries. Dispute the rules; controvert the application; or give your hands to this salutary measure. Most of the same rules will be found applicable to my second object — *the landed estate of the crown*. A landed estate is certainly the very worst which the crown can possess. All minute and dispersed possessions, possessions that are often of indeterminate value, and which require a continued personal attendance, are of a nature more proper for private management than public administration. They are fitter for the care of a frugal land steward than of an office in the state. Whatever they may possibly have been in other times, or in other countries, they are not of magnitude enough with us, to occupy a public department, nor to provide for a public object. They are already given up to parliament, and the gift is not of great value. Common prudence dictates, even in the management of private affairs, that all dispersed and chargeable estates should be sacrificed to the relief of estates more compact and better circumstanced.

If it be objected, that these lands at present would sell at a low market; this is answered, by shewing that money is at high price. The one balances the other. Lands sell at the current rate, and nothing can sell for more. But be the price what it may, a great object is always answered, whenever any property is transferred from hands that are not fit for that property, to those that are. The buyer and seller must mutually profit by such a bargain; and, what rarely happens in matters of revenue, the relief of the subject will go hand in hand with the profit of the exchequer.

As to the *forest lands*, in which the crown has (where they are not granted or prescriptively held) the *dominion* of the *soil*, and the *vert* and *venison*; that is to say, the timber and the game, and in which the people have a variety of rights, in common of herbage, and other commons, according to the usage of the several forests; — I propose to

have those rights of the crown valued as manorial rights are valued on an inclosure; and a defined portion of land to be given for them, which land is to be sold for the public benefit.

As to the timber, I propose a survey of the whole. What is useless for the naval purposes of the kingdom, I would condemn, and dispose of, for the security of what may be useful; and to inclose such other parts as may be most fit to furnish a perpetual supply; wholly extinguishing, for a very obvious reason, all right of *venison* in those parts.

The forest *rights* which extend over the lands and possessions of others, being of no profit to the crown, and a grievance, as far as it goes, to the subject; these I propose to extinguish without charge to the proprietors. The several commons are to be allotted and compensated for upon ideas which I shall hereafter explain. They are nearly the same with the principles upon which you have acted in private inclosures. I shall never quit precedents where I find them applicable. For those regulations and compensations, and for every other part of the detail, you will be so indulgent as to give me credit for the present.

The revenue to be obtained from the sale of the forest lands and rights will not be so considerable as many people have imagined; and it would be unwise to screw it up to the utmost; or even to suffer bidders to inhance, according to their eagerness, the purchase of these lands, when the expence of that purchase may weaken the capital to be employed in their cultivation. This, I am well aware, might give room for partiality in the disposal. In my opinion it would be the lesser evil of the two. But surely a rule of fair preference might be established, which would take away all sort of unjust and corrupt partiality. The principal revenue which I propose to draw from these uncultivated wastes, is to spring from the improvement and population of the kingdom; which never can happen without producing an improvement more advantageous to the revenues of the crown than the rents of the best landed

estate which it can hold. It will hardly be necessary for me to add, that in this sale, I naturally except all the houses, gardens, and parks belonging to the crown, and such one forest as shall be chosen by his majesty, as best accommodated to his pleasures.

By means of this part of the reform will fall the expensive office of *surveyor general*, with all the influence that attends it. By this, will fall *two chief justices in Eyre*, with all their train of dependents. You need be under no apprehension, Sir, that your office is to be touched in its emoluments. They are yours by law; and they are but a moderate part of the compensation which is given to you for the ability with which you execute an office of quite another sort of importance: it is far from overpaying your diligence; or more than sufficient for sustaining the high rank you stand in, as the first gentleman of England. As to the duties of your chief justiceship, they are very different from those for which you have received the office. Your dignity is too high for a jurisdiction over wild beasts; and your learning and talents too valuable to be wasted as chief justice of a desert. I cannot reconcile it to myself, that you, Sir, should be stuck up as a useless piece of antiquity.

I have now disposed of the unprofitable landed estates of the crown, and thrown them into the mass of private property, by which they will come, through the course of circulation, and through the political secretions of the state, into our better understood and better ordered revenues.

I come next to the great supreme body of the civil government itself. I approach it with that awe and reverence with which a young physician approaches to the cure of the disorders of his parent. Disorders, Sir, and infirmities there are — such disorders, that all attempts towards method, prudence, and frugality will be perfectly vain, whilst a system of confusion remains, which is not only alien, but adverse to all economy; a system, which is not only prodigal in its very essence, but causes every thing else which belongs to it to be prodigally conducted.

It is impossible, Sir, for any person to be an economist where no order in payments is established; it is impossible for a man to be an economist, who is not able to take a comparative view of his means, and of his expences, for the year which lies before him; it is impossible for a man to be an economist, under whom various officers in their several departments, may spend, — even just what they please, — and often with an emulation of expence, as contributing to the importance, if not profit, of their several departments. Thus much is certain, that neither the present nor any other first lord of the treasury, has been ever able to take a survey, or to make even a tolerable guess, of the expences of government for any one year; so as to enable him with the least degree of certainty, or even probability, to bring his affairs within compass. Whatever scheme may be formed upon them, must be made on a calculation of chances. As things are circumstanced, the first lord of the treasury cannot make an estimate. I am sure I serve the king, and I am sure I assist administration, by putting economy, at least in their power. We must *class services*; we must (as far as their nature admits) *appropriate* funds; or every thing, however reformed, will fall again into the old confusion.

Coming upon this ground of the civil list, the first thing in dignity and charge that attracts our notice is the *royal household.* This establishment, in my opinion, is exceedingly abusive in its constitution. It is formed upon manners and customs that have long since expired. In the first place, it is formed, in many respects, upon *feudal principles.* In the feudal times, it was not uncommon, even among subjects, for the lowest offices to be held by considerable persons; persons as unfit by their incapacity, as improper from their rank, to occupy such employments. They were held by patent, sometimes for life, and sometimes by inheritance. If my memory does not deceive me, a person of no slight consideration held the office of patent hereditary cook to an earl of Warwick — The Earl of Warwick's soups, I fear, were not the better for the dignity of his kitchen.

I think it was an earl of Gloucester, who officiated as steward of the household to the archbishops of Canterbury. Instances of the same kind may in some degree be found in the Northumberland house-book, and other family records. There was some reason in ancient necessities for these ancient customs. Protection was wanted; and the domestic tie, though not the highest, was the closest.

The king's household has not only several strong traces of this *feudality*, but it is formed also upon the principles of a *body-corporate*. It has its own magistrates, courts, and by-laws. This might be necessary in the ancient times, in order to have a government within itself, capable of regulating the vast and often unruly multitude which composed and attended it. This was the origin of the ancient court called the *green cloth* — composed of the marshal, treasurer, and other great officers of the household, with certain clerks. The rich subjects of the kingdom, who had formerly the same establishments (only on a reduced scale) have since altered their economy; and turned the course of their expence, from the maintenance of vast establishments within their walls, to the employment of a great variety of independent trades abroad. Their influence is lessened; but a mode of accommodation and a style of splendour, suited to the manners of the times, has been encreased. Royalty itself has insensibly followed; and the royal household has been carried away by the resistless tide of manners: but with this very material difference. Private men have got rid of the establishments along with the reasons of them; whereas the royal household has lost all that was stately and venerable in the antique manners, without retrenching any thing of the cumbrous charge of a Gothic establishment. It is shrunk into the polished littleness of modern elegance and personal accommodation. It has evaporated from the gross concrete, into an essence and rectified spirit of expence, where you have tuns of ancient pomp in a vial of modern luxury.

But when the reason of old establishments is gone, it is absurd to preserve nothing but the burthen of them. This

is superstitiously to embalm a carcass not worth an ounce of the gums that are used to preserve it. It is to burn precious oils in the tomb; it is to offer meat and drink to the dead, — not so much an honour to the deceased, as a disgrace to the survivors. Our palaces are vast inhospitable halls. There the bleak winds, there, "Boreas, and Eurus, and Caurus, and Argestes loud," howling through the vacant lobbies, and clattering the doors of deserted guard-rooms, appal the imagination, and conjure up the grim spectres of departed tyrants — the Saxon, the Norman, and the Dane; the stern Edwards and fierce Henrys — who stalk from desolation to desolation, through the dreary vacuity, and melancholy succession of chill and comfortless chambers. When this tumult subsides, a dead, and still more frightful silence would reign in this desert, if every now and then the tacking of hammers did not announce, that those constant attendants upon all courts, in all ages, Jobbs, were still alive; for whose sake alone it is, that any trace of ancient grandeur is suffered to remain. These palaces are a true emblem of some governments; the inhabitants are decayed, but the governors and magistrates still flourish. They put me in mind of *Old Sarum*, where the representatives, more in number than the constituents, only serve to inform us, that this was once a place of trade, and sounding with "the busy hum of men," though now you can only trace the streets by the colour of the corn; and its sole manufacture is in members of parliament.

These old establishments were formed also on a third principle, still more adverse to the living economy of the age. They were formed, Sir, on the principle of *purveyance*, and *receipt in kind*. In former days, when the household was vast, and the supply scanty and precarious, the royal purveyors, sallying forth from under the Gothic portcullis, to purchase provision with power and prerogative, instead of money, brought home the plunder of an hundred markets, and all that could be seized from a flying and hiding country, and deposited their spoil in an hundred caverns, with each its keeper. There, every commodity, received in its rawest

condition, went through all the process which fitted it for use. This inconvenient receipt produced an economy suited only to itself. It multiplied offices beyond all measure; buttery, pantry, and all that rabble of places; which, though profitable to the holders and expensive to the state, are almost too mean to mention.

All this might be, and I believe was necessary at first; for it is remarkable, that *purveyance*, after its regulation had been the subject of a long line of statutes, (not fewer, I think, than twenty-six,) was wholly taken away by the twelfth of Charles II.; yet in the next year of the same reign, it was found necessary to revive it by a special act of parliament, for the sake of the king's journies. This, Sir, is curious; and what would hardly be expected in so reduced a court as that of Charles II., and in so improved a country as England might then be thought. But so it was. In our time, one well filled and well covered stage coach requires more accommodation than a royal progress; and every district at an hour's warning, can supply an army.

I do not say, Sir, that all these establishments whose principle is gone, have been systematically kept up for influence solely: neglect had its share. But this I am sure of, that a consideration of influence has hindered any one from attempting to pull them down. For the purposes of influence, and for those purposes only, are retained half at least of the household establishments. No revenue, no not a royal revenue, can exist under the accumulated charge of ancient establishment, modern luxury, and parliamentary political corruption.

If, therefore, we aim at regulating this household, the question will be, whether we ought to economize by *detail* or by *principle?* The example we have had of the success of an attempt to economize by detail, and under establishments adverse to the attempt, may tend to decide this question.

At the beginning of his majesty's reign, Lord Talbot came to the administration of a great department in the

household. I believe no man ever entered into his majesty's service, or into the service of any prince, with a more clear integrity, or with more zeal and affection for the interest of his master; and I must add, with abilities for a still higher service. Economy was then announced as a maxim of the reign. This noble lord, therefore, made several attempts towards a reform. In the year 1777, when the king's civil list debts came last to be paid, he explained very fully the success of his undertaking. He told the House of Lords, that he had attempted to reduce the charges of the king's tables, and his kitchen. The thing, Sir, was not below him. He knew, that there is nothing interesting in the concerns of men, whom we love and honour, that is beneath our attention. "Love," says one of our old poets, "esteems no office mean;" and with still more spirit, "Entire affection scorneth nicer hands." Frugality, Sir, is founded on the principle, that all riches have limits. A royal household, grown enormous, even in the meanest departments, may weaken and perhaps destroy all energy in the highest offices of the state. The gorging a royal kitchen may stint and famish the negotiations of a kingdom. Therefore, the object was worthy of his, was worthy of any man's attention.

In consequence of this noble lord's resolution, (as he told the other House,) he reduced several tables, and put the persons entitled to them upon board wages, much to their own satisfaction. But unluckily, subsequent duties requiring constant attendance, it was not possible to prevent their being fed where they were employed — and thus this first step towards economy doubled the expence.

There was another disaster far more doleful than this. I shall state it, as the cause of that misfortune lies at the bottom of almost all our prodigality. Lord Talbot attempted to reform the kitchen; but such, as he well observed, is the consequence of having duty done by one person, whilst another enjoys the emoluments, that he found himself frustrated in all his designs. On that rock his whole adventure split — his whole scheme of economy

was dashed to pieces; his department became more expensive than ever; — the civil list debt accumulated — Why? It was truly from a cause, which, though perfectly adequate to the effect, one would not have instantly guessed; — it was because the *turnspit in the king's kitchen was a member of parliament* *. The king's domestic servants were all undone; his tradesmen remained unpaid, and became bankrupt, — *because the turnspit of the king's kitchen was a member of parliament.* His majesty's slumbers were interrupted, his pillow was stuffed with thorns, and his peace of mind entirely broken, — *because the king's turnspit was a member of parliament.* The judges were unpaid; the justice of the kingdom bent and gave way; the foreign ministers remained inactive and unprovided; the system of Europe was dissolved; the chain of our alliances was broken; all the wheels of government at home and abroad were stopped; — *because the king's turnspit was a member of parliament.*

Such, Sir, was the situation of affairs, and such the cause of that situation, when his majesty came a second time to parliament, to desire the payment of those debts which the employment of its members in various offices, visible and invisible, had occasioned. I believe that a like fate will attend every attempt at economy by detail, under similar circumstances, and in every department. A complex, operose office of account and controul, is in itself, and even if members of parliament had nothing to do with it, the most prodigal of all things. The most audacious robberies, or the most subtle frauds, would never venture upon such a waste, as an over careful, detailed guard against them will infallibly produce. In our establishments, we frequently see an office of account, of an hundred pounds a year expence, and another office, of an equal expence, to controul that office, and the whole upon a matter that is not worth twenty shillings.

To avoid, therefore, this minute care which produces

* *Vide* Lord Talbot's speech in the House of Lords, New Parliamentary History of England, vol. xix. p. 176.

the consequences of the most extensive neglect, and to oblige members of parliament to attend to public cares, and not to the servile offices of domestic management, I propose, Sir, to *economize by principle*, that is, I propose, to put affairs into that train, which experience points out as the most effectual, from the nature of things, and from the constitution of the human mind. In all dealings, where it is possible, the principles of radical economy prescribe three things; first, undertaking by the great; secondly, engaging with persons of skill in the subject matter; thirdly, engaging with those who shall have an immediate and direct interest in the proper execution of the business.

To avoid frittering and crumbling down the attention, by a blind unsystematic observance of every trifle, it has ever been found the best way, to do all things, which are great in the total amount, and minute in the component parts, by a *general contract*. The principles of trade have so pervaded every species of dealing, from the highest to the lowest objects; all transactions are got so much into system; that we may, at a moment's warning, and to a farthing value, be informed at what rate any service may be supplied. No dealing is exempt from the possibility of fraud. But by a contract on a matter certain, you have this advantage — you are sure to know the utmost *extent* of the fraud to which you are subject. By a contract with a person in *his own trade*, you are sure you shall not suffer by *want of skill*. By a *short* contract you are sure of making it the *interest* of the contractor to exert that skill for the satisfaction of his employers.

I mean to derogate nothing from the diligence or integrity of the present, or of any former board of greencloth. But what skill can members of parliament obtain in that low *kind* of province? What pleasure can they have in the execution of that kind of *duty*? And if they should neglect it, how does it affect their interest, when we know, that it is their vote in parliament, and not their diligence in cookery or catering, that recommends them to their office, or keeps them in it?

I therefore propose, that the king's tables (to whatever number of tables, or covers to each, he shall think proper to command) should be classed by the steward of the household, and should be contracted for, according to their rank, by the head or cover; — that the estimate and circumstance of the contract should be carried to the treasury to be approved; and that its faithful and satisfactory performance should be reported there, previous to any payment; that there, and there only, should the payment be made. I propose, that men should be contracted with only in their proper trade; and that no member of parliament should be capable of such contract. By this plan, almost all the infinite offices under the lord steward may be spared; to the extreme simplification, and to the far better execution, of every one of his functions. The King of Prussia is so served. He is a great and eminent (though indeed a very rare) instance of the possibility of uniting in a mind of vigour and compass, an attention to minute objects, with the largest views, and the most complicated plans. His tables are served by contract, and by the head. Let me say, that no prince can be ashamed to imitate the King of Prussia; and particularly to learn in his school, when the problem is — "The best manner of reconciling the "state of a court with the support of war?" Other courts, I understand, have followed him with effect, and to their satisfaction.

The same clue of principle leads us through the labyrinth of the other departments. What, Sir, is there in the office of *the great wardrobe* (which has the care of the king's furniture) that may not be executed by the *lord chamberlain* himself. He has an honourable appointment; he has time sufficient to attend to the duty; and he has the vice-chamberlain to assist him. Why should not he deal also by contract, for all things belonging to this office, and carry his estimates first, and his report of the execution in its proper time, for payment, directly to the board of treasury itself? By a simple operation (containing in it a treble controul) the expences of a department, which for naked

walls, or walls hung with cobwebs, has in a few years cost the crown 150,000*l.* may at length hope for regulation. But, Sir, the office and its business are at variance. As it stands, it serves, not to furnish the palace with its hangings, but the parliament with its dependent members.

To what end, Sir, does the office of *removing wardrobe* serve at all? Why should a *jewel office* exist for the sole purpose of taxing the king's gifts of plate? Its object falls naturally within the *chamberlain*'s province; and ought to be under his care and inspection, without any fee. Why should an office of the *robes* exist, when that of *groom of the stole* is a sinecure, and that this is a proper object of his department?

All these incumbrances, which are themselves nuisances, produce other incumbrances, and other nuisances. For the payment of these useless establishments, there are no less than *three useless treasurers;* two to hold a purse, and one to play with a stick. The treasurer of the household is a mere name. The cofferer, and the treasurer of the chamber, receive and pay great sums, which it is not at all necessary *they* should either receive or pay. All the proper officers, servants, and tradesmen, may be inrolled in their several departments, and paid in proper classes and times with great simplicity and order, at the exchequer, and by direction from the treasury.

The *board of works*, which in the seven years preceding 1777, has cost towards 400,000*l.**; and (if I recollect rightly) has not cost less in proportion from the beginning of the reign, is under the very same description of all the other ill-contrived establishments, and calls for the very same reform. We are to seek for the visible signs of all this expence. For all this expence, we do not see a building of the size and importance of a pigeon-house. Buckingham-house was reprised by a bargain with the public, for one hundred thousand pounds;—and the small house at Windsor has been, if I mistake not,

* More exactly 378,616*l.* 10*s.* 1½*d.*

undertaken since that account was brought before us. The good works of that board of works are as carefully concealed as other good works ought to be. They are perfectly invisible. But though it is the perfection of charity to be concealed, it is, Sir, the property and glory of magnificence to appear, and stand forward to the eye.

That board, which ought to be a concern of builders, and such like, and of none else, is turned into a junto of members of parliament. That office too has a *treasury*, and a paymaster of its own; and lest the arduous affairs of that important exchequer should be too fatiguing, that paymaster has a deputy to partake his profits, and relieve his cares. I do not believe, that either now or in former times, the chief managers of that board have made any profit of its abuse. It is, however, no good reason that an abusive establishment should subsist, because it is of as little private as of public advantage. But this establishment has the grand radical fault, the original sin, that pervades and perverts all our establishments; — the apparatus is not fitted to the object, nor the workmen to the work. Expences are incurred on the private opinion of an inferior establishment, without consulting the principal; who can alone determine the proportion which it ought to bear to the other establishments of the state, in the order of their relative importance.

I propose, therefore, along with the rest, to pull down this whole ill-contrived scaffolding, which obstructs, rather than forwards our public works; to take away its treasury; to put the whole into the hands of a real builder, who shall not be a member of parliament; and to oblige him by a previous estimate and final payment, to appear twice at the treasury, before the public can be loaded. The king's gardens are to come under a similar regulation.

The *mint*, though not a department of the household, has the same vices. It is a great expence to the nation, chiefly for the sake of members of parliament. It has its officers of parade and dignity. It has its treasury too. It is a sort of corporate body; and formerly was a body of

great importance; as much so, on the then scale of things, and the then order of business, as the bank is at this day. It was the great centre of money transactions and remittances for our own and for other nations; until King Charles the First, among other arbitrary projects, dictated by despotic necessity, made him withhold the money that lay there for remittance. That blow (and happily too) the mint never recovered. Now it is no bank; no remittance-shop. The mint, Sir, is a *manufacture*, and it is nothing else; and it ought to be undertaken upon the principles of a manufacture; that is, for the best and cheapest execution, by a contract, upon proper securities, and under proper regulations.

The *artillery* is a far greater object; it is a military concern; but having an affinity and kindred in its defects with the establishments I am now speaking of, I think it best to speak of it along with them. It is, I conceive, an establishment not well suited to its martial, though exceedingly well calculated for its parliamentary purposes. Here there is a *treasury*, as in all the other inferior departments of government. Here the military is subordinate to the civil, and the naval confounded with the land service. The object indeed is much the same in both. But when the detail is examined, it will be found that they had better be separated. For a reform of this office, I propose to restore things to what (all considerations taken together) is their natural order; to restore them to their just proportion, and to their just distribution. I propose, in this military concern, to render the civil subordinate to the military; and this will annihilate the greatest part of the expence, and all the influence belonging to the office. I propose to send the military branch to the army, and the naval to the admiralty: and I intend to perfect and accomplish the whole detail (where it becomes too minute and complicated for legislature, and requires exact, official, military, and mechanical knowledge) by a commission of competent officers in both departments. I propose to execute by contract, what by contract can be executed, and

to bring, as much as possible, all estimates to be previously approved, and finally to be paid by the treasury.

Thus, by following the course of nature, and not the purposes of politics, or the accumulated patchwork of occasional accommodation, this vast expensive department may be methodized; its service proportioned to its necessities; and its payments subjected to the inspection of the superior minister of finance; who is to judge of it on the result of the total collective exigencies of the state. This last is a reigning principle through my whole plan; and it is a principle which I hope may hereafter be applied to other plans.

By these regulations taken together, besides the three subordinate treasuries in the lesser principalities, five other subordinate treasuries are suppressed. There is taken away the whole *establishment of detail* in the household: the *treasurer*; the *comptroller* (for a comptroller is hardly necessary where there is no treasurer); the *cofferer of the household*; the *treasurer of the chamber*; the *master of the household*; the whole *board of green cloth*; and a vast number of subordinate offices in the department of the *steward of the household*; the whole establishment of the *great wardrobe*; the *removing wardrobe*; the *jewel-office*; the *robes*; the *board of works*; almost the whole charge of the *civil branch* of the *board of ordnance*, are taken away. All these arrangements together will be found to relieve the nation from a vast weight of influence, without distressing, but rather by forwarding every public service. When something of this kind is done, then the public may begin to breathe. Under other governments, a question of expence is only a question of economy, and it is nothing more; with us, in every question of expence, there is always a mixture of constitutional considerations.

It is, Sir, because I wish to keep this business of subordinate treasuries as much as I can together, that I brought the *ordnance-office* before you, though it is properly a military department. For the same reason I will now trouble you with my thoughts and propositions upon

two of the greatest *under treasuries*, I mean the office of *paymaster of the land forces* or *treasurer of the army*; and that of the *treasurer of the navy*. The former of these has long been a great object of public suspicion and uneasiness. Envy too has had its share in the obloquy which is cast upon this office. But I am sure that it has no share at all in the reflections I shall make upon it, or in the reformations that I shall propose. I do not grudge to the honourable gentleman who at present holds the office, any of the effects of his talents, his merit, or his fortune. He is respectable in all these particulars: I follow the constitution of the office, without persecuting its holder. It is necessary, in all matters of public complaint, where men frequently feel right and argue wrong, to separate prejudice from reason; and to be very sure, in attempting the redress of a grievance, that we hit upon its real seat and its true nature. Where there is an abuse in office, the first thing that occurs in heat is to censure the officer. Our natural disposition leads all our enquiries rather to persons than to things. But this prejudice is to be corrected by maturer thinking.

Sir, the profits of the *pay-office* (as an office) are not too great, in my opinion, for its duties, and for the rank of the person who has generally held it. He has been generally a person of the highest rank; that is to say, a person of eminence and consideration in this House. The great and the invidious profits of the pay-office are from the *bank* that is held in it. According to the present course of the office, and according to the present mode of accounting there, this bank must necessarily exist somewhere. Money is a productive thing; and when the usual time of its demand can be tolerably calculated, it may, with prudence, be safely laid out to the profit of the holder. It is on this calculation that the business of banking proceeds; but no profit can be derived from the use of money, which does not make it the interest of the holder to delay his account. The process of the exchequer colludes with this interest. Is this collusion from its want of rigour, and strictness, and

great regularity of form? The reverse is true. They have in the exchequer brought rigour and formalism to their ultimate perfection. The process against accountants is so rigorous, and in a manner so unjust, that correctives must, from time to time, be applied to it. These correctives being discretionary, upon the case, and generally remitted by the barons to the lords of the treasury, as the best judges of the reasons for respite, hearings are had, delays are produced, and thus the extreme of rigour in office (as usual in all human affairs) leads to the extreme of laxity. What with the interested slowness of the officer, the ill-conceived exactness of the court, the applications for dispensations from that exactness, the revival of rigorous process, after the expiration of the time; and the new rigours producing new applications, and new enlargements of time, such delays happen in the public accounts, that they can scarcely ever be closed.

Besides, Sir, they have a rule in the exchequer, which, I believe, they have founded upon a very ancient statute, that of the 51st of Henry III. by which it is provided, "That when a sheriff or bailiff hath begun his account, "none other shall be received to account, until he that was "first appointed hath clearly accounted, and that the sum "has been received*." Whether this clause of that statute be the ground of that absurd practice, I am not quite able to ascertain; but it has very generally prevailed, though, I am told, that of late they have begun to relax from it. In consequence of forms adverse to substantial account, we have a long succession of pay-masters and their representatives, who have never been admitted to account, although perfectly ready to do so.

As the extent of our wars has scattered the accountants under the paymaster into every part of the globe, the

* Et quant viscount ou bailliff ait commence de accompter, nul autre ne seit resceu de acconter tanque le primer que soit assis, eit peraccompte, et que la somme soit resceu. Stat. 5. ann. dom. 1266.

grand and sure paymaster, Death, in all his shapes, calls these accountants to another reckoning. Death, indeed, domineers over every thing but the forms of the exchequer: over these he has no power; they are impassive and immortal. The audit of the exchequer, more severe than the audit to which the accountants are gone, demands proofs which, in the nature of things, are difficult, sometimes impossible to be had. In this respect, too, rigour, as usual, defeats itself. Then, the exchequer never gives a particular receipt, or clears a man of his account, as far as it goes. A final acquittance (or a *quietus*, as they term it) is scarcely ever to be obtained. Terrors and ghosts of unlaid accountants haunt the houses of their children from generation to generation. Families, in the course of succession, fall into minorities; the inheritance comes into the hands of females; and very perplexed affairs are often delivered over into the hands of negligent guardians and faithless stewards; so that the demand remains, when the advantage of the money is gone, if ever any advantage at all has been made of it. This is a cause of infinite distress to families, and becomes a source of influence to an extent that can scarcely be imagined, but by those who have taken some pains to trace it. The mildness of government in the employment of useless and dangerous powers furnishes no reason for their continuance.

As things stand, can you in justice (except perhaps in that over-perfect kind of justice, which has obtained by its merits the title of the opposite vice*) insist that any man should, by the course of his office, keep a *bank* from whence he is to derive no advantage? That a man should be subject to demands below, and be in a manner refused an acquittance above; that he should transmit an original sin, and inheritance of vexation to his posterity, without a power of compensating himself, in some way or other, for so perilous a situation? We know, that if the paymaster should deny himself the advantages of his bank, the public,

* Summum jus summa injuria.

as things stand, is not the richer for it by a single shilling. This I thought it necessary to say, as to the offensive magnitude of the profits of this office, that we may proceed in reformation on the principles of reason, and not on the feelings of envy.

The treasurer of the navy is, *mutatis mutandis*, in the same circumstances: indeed all accountants are. Instead of the present mode, which is troublesome to the officer, and unprofitable to the public, I propose to substitute something more effectual than rigour, which is the worst exactor in the world. I mean to remove the very temptations to delay, to facilitate the account, and to transfer this bank, now of private emolument, to the public. The crown will suffer no wrong, at least from the pay offices; and its terrors will no longer reign over the families of those who hold or have held them. I propose, that these offices should be no longer *banks* or *treasuries*, but mere *offices of administration*. I propose, first, that the present paymaster, and the treasurer of the navy, should carry into the exchequer the whole body of the vouchers for what they have paid over to deputy paymasters, to regimental agents, or to any of those to whom they have and ought to have paid money. I propose that those vouchers shall be admitted as actual payments in their accounts; and that the persons to whom the money has been paid, shall then stand charged in the exchequer in their place. After this process, they shall be debited or charged for nothing but the money-balance that remains in their hands.

I am conscious, Sir, that if this balance (which they could not expect to be so suddenly demanded by any usual process of the exchequer) should now be exacted all at once, not only their ruin, but a ruin of others, to an extent which I do not like to think of, but which I can well conceive, and which you may well conceive, might be the consequence. I told you, Sir, when I promised before the holidays to bring in this plan, that I never would suffer any man, or description of men, to suffer from errors that naturally have grown out of the abusive constitution of

those offices which I propose to regulate. If I cannot reform with equity, I will not reform at all.

For the regulation of past accounts, I shall therefore propose such a mode as men, temperate and prudent, make use of in the management of their private affairs, when their accounts are various, perplexed, and of long standing. I would therefore, after their example, divide the public debts into three sorts; good, bad, and doubtful. In looking over the public accounts, I should never dream of the blind mode of the exchequer, which regards things in the abstract, and knows no difference in the quality of its debts, or the circumstances of its debtors. By this means it fatigues itself, it vexes others, it often crushes the poor, it lets escape the rich; or, in a fit of mercy or carelessness, declines all means of recovering its just demands. Content with the eternity of its claims, it enjoys its Epicurean divinity with Epicurean languor. But it is proper that all sorts of accounts should be closed some time or other—by payment, by composition, or by oblivion. *Expedit reipublicæ ut sit finis litium.* Constantly taking along with me, that an extreme rigour is sure to arm every thing against it, and at length to relax into a supine neglect, I propose, Sir, that even the best, soundest, and the most recent debts, should be put into instalments, for the mutual benefit of the accountant and the public.

In proportion, however, as I am tender of the past, I would be provident of the future. All money that was formerly imprested to the two great *pay-offices*, I would have imprested in future to the *bank of England*. These offices should, in future, receive no more than cash sufficient for small payments; their other payments ought to be made by drafts on the bank, expressing the service. A cheque account from both offices, of drafts and receipts, should be annually made up in the exchequer, charging the bank, in account, with the cash-balance, but not demanding the payment until there is an order from the treasury, in consequence of a vote of parliament.

As I did not, Sir, deny to the paymaster the natural pro-

fits of the bank that was in his hands, so neither would I to the bank of England. A share of that profit might be derived to the public in various ways. My favourite mode is this: that in compensation for the use of this money, the bank may take upon themselves, first, *the charge of the mint*; to which they are already, by their charter, obliged to bring in a great deal of bullion annually to be coined.

In the next place, I mean that they should take upon themselves the charge of *remittances to our troops abroad*. This is a species of dealing from which, by the same charter, they are not debarred. One and a quarter *per cent.* will be saved instantly thereby to the public, on very large sums of money. This will be at once a matter of economy, and a considerable reduction of influence, by taking away a private contract of an expensive nature. If the bank, which is a great corporation, and of course receives the least profits from the money in their custody, should of itself refuse, or be persuaded to refuse this offer upon those terms, I can speak with some confidence, that one at least, if not both parts of the condition would be received, and gratefully received, by several bankers of eminence. There is no banker who will not be at least as good security as any paymaster of the forces, or any treasurer of the navy, that have ever been bankers to the public: as rich at least as my Lord Chatham, or my Lord Holland, or either of the honourable gentlemen who now hold the offices, were at the time that they entered into them; or as ever the whole establishment of the *mint* has been at any period.

These, Sir, are the outlines of the plan I mean to follow, in suppressing these two large subordinate treasuries. I now come to another subordinate treasury; I mean that of the *paymaster of the pensions*; for which purpose I re-enter the limits of the civil establishment — I departed from those limits in pursuit of a principle; and following the same game in its doubles, I am brought into those limits again. That treasury and that office I mean to take away; and to transfer the payment of every name, mode, and denomination of pensions, to the *exchequer*. The present

course of diversifying the same object, can answer no good purpose; whatever its use may be to purposes of another kind. There are also other lists of pensions; and I mean that they should all be hereafter paid at one and the same place. The whole of that new consolidated list, I mean to reduce to 60,000l. a year, which sum I intend it shall never exceed. I think that sum will fully answer as a reward to all real merit, and a provision for all real public charity that is ever likely to be placed on the list. If any merit of an extraordinary nature should emerge, before that reduction is completed, I have left it open for an address of either House of parliament to provide for the case. To all other demands, it must be answered, with regret, but with firmness, "the public is poor."

I do not propose, as I told you before Christmas, to take away any pension. I know that the public seem to call for a reduction of such of them as shall appear unmerited. As a censorial act, and punishment of an abuse, might answer some purpose. But this can make no part of *my* plan. I mean to proceed by bill; and I cannot stop for such an enquiry. I know some gentlemen may blame me. It is with great submission to better judgments, that I recommend it to consideration; that a critical retrospective examination of the pension list, upon the principle of merit, can never serve for my basis. It cannot answer, according to my plan, any effectual purpose of economy, or of future permanent reformation. The process, in any way, will be entangled and difficult; and it will be infinitely slow: there is a danger that if we turn our line of march, now directed towards the grand object, into this more laborious than useful detail of operations, we shall never arrive at our end.

The king, Sir, has been, by the constitution, appointed sole judge of the merit for which a pension is to be given. We have a right, undoubtedly, to canvass this, as we have to canvass every act of government. But there is a material difference between an office to be reformed, and a pension taken away for demerit. In the former case, no charge is

implied against the holder; in the latter, his character is slurred, as well as his lawful emolument affected. The former process is against the thing; the second against the person. The pensioner certainly, if he pleases, has a right to stand in his own defence; to plead his possession; and to bottom his title in the competency of the crown to give him what he holds. Possessed, and on the defensive as he is, he will not be obliged to prove his special merit, in order to justify the act of legal discretion, now turned into his property, according to his tenure. The very act, he will contend, is a legal presumption, and an implication of his merit. If this be so (from the natural force of all legal presumption) he would put us to the difficult proof, that he he has no merit at all. But other questions would arise in the course of such an enquiry; that is, questions of the merit, when weighed against the proportion of the reward; then the difficulty will be much greater.

The difficulty will not, Sir, I am afraid, be much less, if we pass to the person really guilty, in the question of an unmerited pension; the minister himself. I admit, that when called to account for the execution of a trust, he might fairly be obliged to prove the affirmative; and to state the merit for which the pension is given; though on the pensioner himself such a process would be hard. If in this examination we proceed methodically, and so as to avoid all suspicion of partiality and prejudice, we must take the pensions in order of time, or merely alphabetically. The very first pension to which we come, in either of these ways, may appear the most grossly unmerited of any. But the minister may very possibly shew, that he knows nothing of the putting on this pension — that it was prior in time to his administration — that the minister who *laid* it on is dead; and then we are thrown back upon the pensioner himself, and plunged into all our former difficulties. Abuses, and gross ones I doubt not, would appear; and to the correction of which I would readily give my hand; but, when I consider that pensions have not generally been affected by the revolutions of ministry; as I know not

where such enquiries would stop; and as an absence of merit is a negative and loose thing, one might be led to derange the order of families, founded on the probable continuance of their kind of income. I might hurt children; I might injure creditors. I really think it the more prudent course not to follow the letter of the petitions. If we fix this mode of enquiry as a basis, we shall, I fear, end as parliament has often ended under similar circumstances. There will be great delay; much confusion; much inequality in our proceedings. But what presses me most of all is this; that though we should strike off all the unmerited pensions, while the power of the crown remains unlimited, the very same undeserving persons might afterwards return to the very same list: or if they did not, other persons, meriting as little as they do, might be put upon it to an undefinable amount. This I think is the pinch of the grievance.

For these reasons, Sir, I am obliged to wave this mode of proceeding as any part of my plan. In a plan of reformation, it would be one of my maxims, that when I know of an establishment which may be subservient to useful purposes, and which at the same time, from its discretionary nature, is liable to a very great perversion from those purposes, *I would limit the quantity of the power that might be so abused.* For I am sure, that in all such cases, the rewards of merit will have very narrow bounds; and that partial or corrupt favour will be infinite. This principle is not arbitrary; but the limitation of the specific quantity must be so in some measure. I therefore state 60,000l.; leaving it open to the House to enlarge or contract the sum as they shall see, on examination, that the discretion I use is scanty or liberal. The whole amount of the pensions of all denominations, which have been laid before us, amount, for a period of seven years, to considerably more than 100,000l. a year. To what the other lists amount I know not. That will be seen hereafter. But from those that do appear, a saving will accrue to the

public, at one time or other, of 40,000l. a year, and we had better in my opinion to let it fall in naturally, than to tear it crude and unripe from the stalk.*

There is a great deal of uneasiness among the people, upon an article which I must class under the head of pensions. I mean the *great patent offices in the exchequer.* They are in reality and substance no other than pensions, and in no other light shall I consider them. They are sinecures. They are always executed by deputy. The duty of the principal is as nothing. They differ however from the pensions on the list, in some particulars. They are held for life. I think with the public that the profits of those places are grown enormous; the magnitude of those profits, and the nature of them, both call for reformation. The nature of their profits, which grow out of the public distress, is itself invidious and grievous. But I fear that reform cannot be immediate. I find myself under a restriction. These places, and others of the same kind, which are held for life, have been considered as property. They have been given as a provision for children; they have been the subject of family settlements; they have been the security of creditors. What the law respects shall be sacred to me. If the barriers of law should be broken down, upon ideas of convenience, even of public convenience, we shall have no longer any thing certain among us. If the discretion of power is once let loose upon property, we can be at no loss to determine whose power and what discretion it is that will prevail at last. It would be wise to attend upon the order of things; and not to attempt to outrun the

* It was supposed by Mr. Dundas, the lord advocate, in a subsequent debate, that Mr. Burke, because he objected to an enquiry into the pension-list for the purpose of economy and relief of the public, would have it withheld from the judgment of parliament for all purposes whatsoever. This learned gentleman certainly misunderstood him. His plan shews, that he wished the whole list to be easily accessible; and he knows that the public eye is of itself a great guard against abuse.

slow but smooth and even course of nature. There are occasions, I admit, of public necessity, so vast, so clear, so evident, that they supersede all laws. Law being only made for the benefit of the community cannot in any one of its parts resist a demand which may comprehend the total of the public interest. To be sure, no law can set itself up against the cause and reason of all law. But such a case very rarely happens; and this most certainly is not such a case. The mere time of the reform is by no means worth the sacrifice of a principle of law. Individuals pass like shadows; but the commonwealth is fixed and stable. The difference therefore of to-day and to-morrow, which to private people is immense, to the state is nothing. At any rate it is better, if possible, to reconcile our economy with our laws, than to set them at variance; a quarrel which in the end must be destructive to both.

My idea, therefore, is to reduce those offices to fixed salaries, as the present lives and reversions shall successively fall. I mean, that the office of the great auditor (the auditor of the receipt) shall be reduced to 3,000*l.* a year; and the auditors of the imprest and the rest of the principal officers, to fixed appointments of 1,500*l.* a year each. It will not be difficult to calculate the value of this fall of lives to the public, when we shall have obtained a just account of the present income of those places; and we shall obtain that account with great facility, if the present possessors are not alarmed with any apprehension of danger to their freehold office.

I know too, that it will be demanded of me, how it comes, that since I admit these offices to be no better than pensions, I chose, after the principle of law had been satisfied, to retain them at all? To this, Sir, I answer, that conceiving it to be a fundamental part of the constitution of this country, and of the reason of state in every country, that there must be means of rewarding public service, those means will be incomplete, and indeed wholly insufficient for that purpose, if there should be no further reward for

that service than the daily wages it receives during the pleasure of the crown.

Whoever seriously considers the excellent argument of Lord Somers, in the Banker's Case *, will see he bottoms himself upon the very same maxim which I do; and one of his principal grounds of doctrine for the alienability of the domain in England † contrary to the maxim of the law in France, he lays in the constitutional policy, of furnishing a permanent reward to public service; of making that reward the origin of families; and the foundation of wealth as well as of honours. It is indeed the only genuine unadulterated origin of nobility. It is a great principle in government; a principle at the very foundation of the whole structure. The other judges who held the same doctrine, went beyond Lord Somers with regard to the remedy, which they thought was given by law against the crown upon the grant of pensions. Indeed no man knows, when he cuts off the incitements to a virtuous ambition, and the just rewards of public service, what infinite mischief he may do his country, through all generations. Such saving to the public may prove the worst mode of robbing it. The crown, which has in its hands the trust of the daily pay for national service, ought to have in its hands also the means for the repose of public labour, and the fixed settlement of acknowledged merit. There is a time when the weather-beaten vessels of the state ought to come into harbour. They must at length have a retreat from the malice of rivals, from the perfidy of political friends, and the inconstancy of the people. Many of the persons, who in all times have filled the great offices of state, have been younger brothers, who had originally little, if any fortune. These offices do not furnish the means of amassing wealth. There ought to be some power in the crown of granting pensions out of

* See Howell's State Trials, vol. xiv. p. 1.

† Before the statute of Queen Anne, which limited the alienation of land.

the reach of its own caprices. An intail of dependence is a bad reward of merit.

I would therefore leave to the crown the possibility of conferring some favours, which, whilst they are received as a reward, do not operate as corruption. When men receive obligations from the crown through the pious hands of fathers, or of connections as venerable as the paternal, the dependences which arise from thence, are the obligations of gratitude, and not the fetters of servility. Such ties originate in virtue, and they promote it. They continue men in those habitudes of friendship, those political connections, and those political principles in which they began life. They are antidotes against a corrupt levity, instead of causes of it. What an unseemly spectacle would it afford, what a disgrace would it be to the commonwealth that suffered such things, to see the hopeful son of a meritorious minister begging his bread at the door of that treasury, from whence his father dispensed the economy of an empire, and promoted the happiness and glory of his country? Why should he be obliged to prostrate his honour, and to submit his principles at the levee of some proud favourite, shouldered and thrust aside by every impudent pretender, on the very spot where a few days before he saw himself adored? — obliged to cringe to the author of the calamities of his house, and to kiss the hands that are red with his father's blood? — No, Sir, — These things are unfit — They are intolerable.

Sir, I shall be asked, why I do not choose to destroy those offices which are pensions, and appoint pensions under the direct title in their stead? I allow, that in some cases it leads to abuse, to have things appointed for one purpose, and applied to another. I have no great objection to such a change: but I do not think it quite prudent for me to propose it. If I should take away the present establishment, the burthen of proof rests upon me, that so many pensions, and no more, and to such an amount each, and no more, are necessary for the public service. This is what I can never prove; for it is a thing incapable of definition.

I do not like to take away an object that I think answers my purpose, in hopes of getting it back again in a better shape. People will bear an old establishment when its excess is corrected, who will revolt at a new one. I do not think these office-pensions to be more in number than sufficient: but on that point the House will exercise its discretion. As to abuse, I am convinced, that very few trusts in the ordinary course of administration, have admitted less abuse than this. Efficient ministers have been their own paymasters. It is true. But their very partiality has operated as a kind of justice; and still it was service that was paid. When we look over this exchequer list, we find it filled with the descendants of the Walpoles, of the Pelhams, of the Townshends; names to whom this country owes its liberties, and to whom his majesty owes his crown. It was in one of these lines, that the immense and envied employment he now holds, came to a certain duke*, who is now probably sitting quietly at a very good dinner directly under us; and acting *high life below stairs*, whilst we, his masters, are filling our mouths with unsubstantial sounds, and talking of hungry economy over his head. But he is the elder branch of an ancient and decayed house, joined to, and repaired by the reward of services done by another. I respect the original title, and the first purchase of merited wealth and honour through all its descents, through all its transfers, and all its assignments. May such fountains never be dried up. May they ever flow with their original purity, and refresh and fructify the commonwealth, for ages!

Sir, I think myself bound to give you my reasons as clearly, and as fully, for stopping in the course of reformation, as for proceeding in it. My limits are the rules of law; the rules of policy; and the service of the state. This is the reason why I am not able to intermeddle with

* The Duke of Newcastle, whose dining-room was under the House of Commons.

another article, which seems to be a specific object in several of the petitions; I mean the reduction of exorbitant emoluments to efficient offices. If I knew of any real efficient office, which did possess exorbitant emoluments, I should be extremely desirous of reducing them. Others may know of them. I do not. I am not possessed of an exact common measure between real service and its reward. I am very sure, that states do sometimes receive services, which is hardly in their power to reward according to their worth. If I were to give my judgment, with regard to this country, I do not think the great efficient offices of the state to be overpaid. The service of the public is a thing which cannot be put to auction, and struck down to those who will agree to execute it the cheapest. When the proportion between reward and service is our object, we must always consider of what nature the service is, and what sort of men they are that must perform it. What is just payment for one kind of labour, and full encouragement for one kind of talents, is fraud and discouragement to others. Many of the great offices have much duty to do, and much expence of representation to maintain. A secretary of state, for instance, must not appear sordid in the eyes of the ministers of other nations; neither ought our ministers abroad to appear contemptible in the courts where they reside. In all offices of duty, there is, almost necessarily, a great neglect of all domestic affairs. A person in high office can rarely take a view of his family-house. If he sees that the state takes no detriment, the state must see that his affairs should take as little.

I will even go so far as to affirm, that if men were willing to serve in such situations without salary, they ought not to be permitted to do it. Ordinary service must be secured by the motives to ordinary integrity. I do not hesitate to say, that, that state which lays its foundation in rare and heroic virtues, will be sure to have its superstructure in the basest profligacy and corruption. An honourable and fair profit is the best security against avarice and rapacity; as in all things else, a lawful and

regulated enjoyment is the best security against debauchery and excess. For as wealth is power, so all power will infallibly draw wealth to itself by some means or other: and when men are left no way of ascertaining their profits but by their means of obtaining them, those means will be encreased to infinity. This is true in all the parts of administration, as well as in the whole. If any individual were to decline his appointments, it might give an unfair advantage to ostentatious ambition over unpretending service; it might breed invidious comparisons; it might tend to destroy whatever little unity and agreement may be found among ministers. And after all, when an ambitious man had run down his competitors by a fallacious shew of disinterestedness, and fixed himself in power by that means, what security is there that he would not change his course, and claim as an indemnity ten times more than he has given up?

This rule, like every other, may admit its exceptions. When a great man has some one great object in view to be atchieved in a given time, it may be absolutely necessary for him to walk out of all the common roads, and if his fortune permits it, to hold himself out as a splendid example. I am told, that something of this kind is now doing in a country near us. But this is for a short race; the training for a heat or two, and not the proper preparation for the regular stages of a methodical journey. I am speaking of establishments, and not of men.

It may be expected, Sir, that when I am giving my reasons why I limit myself in the reduction of employments, or of their profits, I should say something of those which seem of eminent inutility in the state; I mean the number of officers who by their places are attendant on the person of the king. Considering the commonwealth merely as such, and considering those officers only as relative to the direct purposes of the state, I admit that they are of no use at all. But there are many things in the constitution of establishments, which appear of little value on the first view, which in a secondary and oblique

manner, produce very material advantages. It was on full consideration that I determined not to lessen any of the offices of honour about the crown, in their number or their emoluments. These emoluments, except in one or two cases, do not much more than answer the charge of attendance. Men of condition naturally love to be about a court; and women of condition love it much more. But there is in all regular attendance, so much of constraint, that if it were a mere charge, without any compensation, you would soon have the court deserted by all the nobility of the kingdom.

Sir, the most serious mischiefs would follow from such a desertion. Kings are naturally lovers of low company. They are so elevated above all the rest of mankind, that they must look upon all their subjects as on a level. They are rather apt to hate than to love their nobility, on account of the occasional resistance to their will, which will be made by their virtue, their petulence, or their pride. It must indeed be admitted, that many of the nobility are as perfectly willing to act the part of flatterers, tale-bearers, parasites, pimps, and buffoons, as any of the lowest and vilest of mankind can possibly be. But they are not properly qualified for this object of their ambition. The want of a regular education, and early habits, and some lurking remains of their dignity, will never permit them to become a match for an Italian eunuch, a mountebank, a fidler, a player, or any regular practitioner of that tribe. The Roman emperors almost from the beginning, threw themselves into such hands; and the mischief increased every day till its decline, and its final ruin. It is therefore of very great importance, (provided the thing is not overdone,) to contrive such an establishment as must, almost whether a prince will or not, bring into daily and hourly offices about his person, a great number of his first nobility; and it is rather an useful prejudice that gives them a pride in such a servitude. Though they are not much the better for a court, a court will be much the

better for them. I have therefore not attempted to reform any of the offices of honour about the king's person.

There are, indeed, two offices in his stables which are sinecures. By the change of manners, and indeed by the nature of the thing, they must be so; I mean the several keepers of buck-hounds, stag-hounds, fox-hounds, and harriers. They answer no purpose of utility or of splendor. These I propose to abolish. It is not proper that great noblemen should be keepers of dogs, though they were the king's dogs. In every part of my scheme, I have endeavoured that no primary, and that even no secondary service of the state, should suffer by its frugality. I mean to touch no offices but such as I am perfectly sure are either of no use at all, or not of any use in the least assignable proportion to the burthen with which they load the revenues of the kingdom, and to the influence with which they oppress the freedom of parliamentary deliberation; for which reason there are but two offices which are properly state offices, that I have a desire to reform.

The first of them is the new office of *third secretary of state*, which is commonly called *secretary of state for the colonies*.

We know that all the correspondence of the colonies had been, until within a few years, carried on by the southern secretary of state; and that this department has not been shunned upon account of the weight of its duties; but on the contrary, much sought, on account of its patronage. Indeed he must be poorly acquainted with the history of office, who does not know how very lightly the American functions have always leaned on the shoulders of the ministerial *Atlas*, who has upheld that side of the sphere. Undoubtedly, great temper and judgment was requisite in the management of the colony politics; but the official detail was a trifle. Since the new appointment, a train of unfortunate accidents has brought before us almost the whole correspondence of this favourite secretary's office, since the first day of its establishment. I

will say nothing of its auspicious foundation; of the quality of its correspondence, or of the effects that have ensued from it. I speak merely of its *quantity*; which we know would have been little or no addition to the trouble of whatever office had its hands the fullest. But what has been the real condition of the old office of secretary of state? Have their velvet bags, and their red boxes, been so full, that nothing more could possibly be crammed into them?

A correspondence of a curious nature has been lately published *. In that correspondence, Sir, we find the opinion of a noble person, who is thought to be the grand manufacturer of administrations; and therefore the best judge of the quality of his work. He was of opinion, that there was but one man of diligence and industry in the whole administration — it was the late Earl of Suffolk. The noble lord lamented very justly, that this statesman, of so much mental vigour, was almost wholly disabled from the exertion of it, by his bodily infirmities. Lord Suffolk, dead to the state, long before he was dead to nature, at last paid his tribute to the common treasury to which we must all be taxed. But so little want was found even of his intentional industry, that the office, vacant in reality to its duties long before, continued vacant even in nomination and appointment for a year after his death. The whole of the laborious and arduous correspondence of this empire, rested solely upon the activity and energy of Lord Weymouth.

It is therefore demonstrable, since one diligent man was fully equal to the duties of the two offices, that two diligent men will be equal to the duty of three. The business of the new office which I shall propose to you to suppress, is by no means too much to be returned to either of the secretaries which remain. If this dust in the balance should

* Letters between Dr. Addington and Sir James Wright. See Annual Register for 1778, p. 244.

be thought too heavy, it may be divided between them both; North America (whether free or reduced) to the northern secretary, the West Indies to the southern. It is not necessary that I should say more upon the inutility of this office. It is burning day light. But before I have done, I shall just remark, that the history of this office is too recent to suffer us to forget, that it was made for the mere convenience of the arrangements of political intrigue, and not for the service of the state; that it was made, in order to give a colour to an exorbitant increase of the civil list; and in the same act to bring a new accession to the loaded compost heap of corrupt influence.

There is, Sir, another office, which was not long since closely connected with this of the American secretary; but has been lately separated from it for the very same purpose for which it had been conjoined; I mean the sole purpose of all the separations and all the conjunctions that have been lately made — a job. I speak, Sir, of the *board of trade and plantations*. This board is a sort of temperate bed of influence; a sort of gently ripening hot-house, where eight members of parliament receive salaries of a thousand a year, for a certain given time, for doing little, in order to mature at a proper season, a claim to two thousand, to be granted for doing less, and on the credit of having toiled so long in that inferior laborious department.

I have known that board, off and on, for a great number of years. Both of its pretended objects have been much the objects of my study, if I have a right to call any pursuits of mine by so respectable a name. I can assure the house, and I hope they will not think that I risk my little credit lightly, that, without meaning to convey the least reflection upon any one of its members past or present, — it is a board which, if not mischievous, is of no use at all.

You will be convinced, Sir, that I am not mistaken, if you reflect how generally it is true, that commerce, the principal object of that office, flourishes most when it is left to itself. Interest, the great guide of commerce, is

not a blind one. It is very well able to find its own way; and its necessities are its best laws. But if it were possible, in the nature of things, that the young should direct the old, and the inexperienced instruct the knowing; if a board in the state was the best tutor for the counting-house; if the desk ought to read lectures to the anvil, and the pen to usurp the place of the shuttle — yet in any matter of regulation, we know that board must act with as little authority as skill. The prerogative of the crown is utterly inadequate to its object; because all regulations are, in their nature, restrictive of some liberty. In the reign indeed, of *Charles the First*, the council, or committees of council, were never a moment unoccupied, with affairs of trade. But even where they had no ill intention (which was sometimes the case) trade and manufacture suffered infinitely from their injudicious tampering. But since that period, whenever regulation is wanting (for I do not deny, that sometimes it may be wanting) parliament constantly sits; and parliament alone is competent to such regulation. We want no instruction from boards of trade, or from any other board; and God forbid we should give the least attention to their reports. Parliamentary enquiry is the only mode of obtaining parliamentary information. There is more real knowledge to be obtained, by attending the detail of business in the committees above stairs, than ever did come, or ever will come from any board in this kingdom, or from all of them together. An assiduous member of parliament will not be the worse instructed there, for not being paid a thousand a year for learning his lesson. And now that I speak of the committees above stairs, I must say, that having till lately attended them a good deal, I have observed that no description of members give so little attendance, either to communicate, or to obtain instruction upon matters of commerce, as the honourable members of the grave board of trade. I really do not recollect, that I have ever seen one of them in that sort of business. Possibly, some members may have better memories; and may call to mind some job that may have accidentally

brought one or other of them, at one time or other, to attend a matter of commerce.

This board, Sir, has had both its original formation, and its regeneration, in a job. In a job it was conceived, and in a job its mother brought it forth. It made one among those shewy and specious impositions, which one of the experiment making administrations of *Charles the Second* held out to delude the people, and to be substituted in the place of the real service which they might expect from a parliament annually sitting. It was intended also to corrupt that body whenever it should be permitted to sit. It was projected in the year 1668, and it continued in a tottering and rickety childhood for about three or four years, for it died in the year 1673, a babe of as little hopes as ever swelled the bills of mortality in the article of convulsed or overlaid children, who have hardly stepped over the threshold of life.

It was buried with little ceremony; and never more thought of, until the reign of *King William*, when in the strange vicissitude of neglect and vigour, of good and ill success that attended his wars, in the year 1695, the trade was distressed beyond all example of former sufferings, by the piracies of the French cruisers. This suffering incensed, and, as it should seem, very justly incensed, the House of Commons. In this ferment they struck, not only at the administration, but at the very constitution of the executive government. They attempted to form in parliament a board for the protection of trade; which, as they planned it, was to draw to itself a great part, if not the whole, of the functions and powers, both of the admiralty and of the treasury; and thus, by a parliamentary delegation of office and officers, they threatened absolutely to separate these departments from the whole system of the executive government, and of course to vest the most leading and essential of its attributes in this board. As the executive government was in a manner convicted of a dereliction of its functions, it was with infinite difficulty, that this blow was warded off in that session. There was a

threat to renew the same attempt in the next. To prevent the effect of this manœuvre, the court opposed another manœuvre to it; and in the year 1696, called into life this board of trade, which had slept since 1673.

This, in a few words, is the history of the regeneration of the board of trade. It has perfectly answered its purposes. It was intended to quiet the minds of the people, and to compose the ferment that then was strongly working in parliament. The courtiers were too happy to be able to substitute a board, which they knew would be useless, in the place of one that they feared would be dangerous. Thus the board of trade was reproduced in a job; and perhaps it is the only instance of a public body, which has never degenerated; but to this hour preserves all the health and vigour of its primitive institution.

This board of trade and plantations has not been of any use to the colonies, as colonies; so little of use, that the flourishing settlements of New England, of Virginia, and of Maryland, and all our wealthy colonies in the West Indies, were of a date prior to the first board of Charles the Second. Pennsylvania and Carolina were settled during its dark quarter, in the interval between the extinction of the first, and the formation of the second board. Two colonies alone owe their origin to that board. Georgia, which, till lately, has made a very slow progress; and never did make any progress at all, until it had wholly got rid of all the regulations which the board of trade had moulded into its original constitution. That colony has cost the nation very great sums of money; whereas the colonies which have had the fortune of not being godfathered by the board of trade, never cost the nation a shilling, except what has been so properly spent in losing them. But the colony of Georgia, weak as it was, carried with it to the last hour, and carries, even in its present dead pallid visage, the perfect resemblance of its parents. It always had, and it now has, an *establishment* paid by the public of England, for the sake of the influence of the crown; that colony having never been able or willing to

take upon itself the expence of its proper government, or its own appropriated jobs.

The province of Nova Scotia was the youngest and the favourite child of the board. Good God! What sums the nursing of that ill-thriven, hard-visaged, and ill-favoured brat has cost to this wittol nation! Sir, this colony has stood us in a sum of not less than 700,000*l.* To this day it has made no repayment—it does not even support those offices of expence, which are miscalled its government; the whole of that job still lies upon the patient, callous shoulders of the people of England.

Sir, I am going to state a fact to you, that will serve to set in full sunshine the real value of formality and official superintendance. There was in the province of Nova Scotia, one little neglected corner; the country of the *neutral French*; which having the good fortune to escape the fostering care both of France and England, and to have been shut out from the protection and regulation of councils of commerce, and of boards of trade, did, in silence, without notice, and without assistance, increase to a considerable degree. But it seems our nation had more skill and ability in destroying, than in settling, a colony. In the last war we did, in my opinion, most inhumanly, and upon pretences that in the eye of an honest man are not worth a farthing, root out this poor innocent deserving people, whom our utter inability to govern, or to reconcile, gave us no sort of right to extirpate. Whatever the merits of that extirpation might have been, it was on the footsteps of a neglected people, it was on the fund of unconstrained poverty, it was on the acquisitions of unregulated industry, that any thing which deserves the name of a colony in that province has been formed. It has been formed by overflowings from the exuberant population of New England, and by emigration from other parts of Nova Scotia of fugitives from the protection of the board of trade.

But if all of these things were not more than sufficient to prove to you the inutility of that expensive establish-

ment, I would desire you to recollect, Sir, that those who may be very ready to defend it, are very cautious how they employ it; cautious how they employ it even in appearance and pretence. They are afraid they should lose the benefit of its influence in parliament, if they seemed to keep it up for any other purpose. If ever there were commercial points of great weight, and most closely connected with our dependencies, they are those which have been agitated and decided in parliament since I came into it. Which of the innumerable regulations since made had their origin or their improvement in the board of trade? Did any of the several East India bills which have been successively produced since 1767, originate there? Did any one dream of referring them, or any part of them, thither? Was any body so ridiculous as even to think of it? If ever there was an occasion on which the board was fit to be consulted, it was with regard to the acts, that were preludes to the American war, or attendant on its commencement: those acts were full of commercial regulations, such as they were;—the intercourse bill; the prohibitory bill; the fishery bill. If the board was not concerned in such things, in what particular was it thought fit that it should be concerned? In the course of all these bills through the House, I observed the members of that board to be remarkably cautious of intermeddling. They understood decorum better; they know that matters of trade and plantations are no business of theirs.

There were two very recent occasions, which, if the idea of any use for the board had not been extinguished by prescription, appeared loudly to call for their interference.

When commissioners were sent to pay his majesty's and our dutiful respects to the congress of the United States, a part of their powers under the commission were, it seems, of a commercial nature. They were authorized in the most ample and undefined manner, to form a commercial treaty with America on the spot. This was no trivial object. As the formation of such a treaty would neces-

sarily have been no less than the breaking up of our whole commercial system, and the giving it an entire new form; one would imagine, that the board of trade would have sat day and night, to model propositions, which, on our side, might serve as a basis to that treaty. No such thing. Their learned leisure was not in the least interrupted, though one of the members of the board was a commissioner, and might, in mere compliment to his office, have been supposed to make a shew of deliberation on the subject. But he knew that his colleagues would have thought he laughed in their faces, had he attempted to bring any thing the most distantly relating to commerce or colonies before *them*. A noble person, engaged in the same commission, and sent to learn his commercial rudiments in New York, (then under the operation of an act for the universal prohibition of trade) was soon after put at the head of that board. This contempt from the present ministers of all the pretended functions of that board, and their manner of appointing to it the presiding commissioner, that is, the manner of breathing into that board its very soul, of inspiring it with its animating and presiding principle, puts an end to all dispute concerning their opinion of the clay it was made of. But I will give them heaped measure.

It was but the other day, that the noble lord in the blue ribbon carried up to the House of Peers two acts, altering, I think much for the better, but altering, in a great degree, our whole commercial system. These acts, I mean, for giving a free trade to Ireland in woollens and in all things else, with independent nations, and giving them an equal trade to our own colonies. Here, too, the novelty of this great, but arduous and critical improvement of system, would make you conceive that the anxious solicitude of the noble lord in the blue ribbon, would have wholly destroyed the plan of summer recreation of that board, by references to examine, compare, and digest matters for parliament—You would imagine, that Irish commissioners of customs and English commissioners of customs, and

commissioners of excise, that merchants and manufacturers of every denomination, had daily crowded their outer rooms. *Nil horum.* The perpetual virtual adjournment, and the unbroken sitting vacation of that board, was no more disturbed by the Irish than by the plantation commerce, or any other commerce. The same matter made a large part of the business which occupied the house for two sessions before; and as our ministers were not then mellowed by the mild, emollient, and engaging blandishments of our dear sister, into all the tenderness of unqualified surrender, the bounds and limits of a restrained benefit naturally required much detailed management and positive regulation. But neither the qualified propositions which were received, nor those other qualified propositions which were rejected by ministers, were the least concern of the board of trade, or were they ever thought of in the business.

It is therefore, Sir, on the opinion of parliament, on the opinion of the ministers, and even on their own opinion of their inutility, that I shall propose to you to suppress *the board of trade and plantations;* and to recommit all its business to the council from whence it was very improvidently taken; and which business (whatever it might be) was much better done and without any expence; and indeed where in effect it may all come at last. Almost all that deserves the name of business there, is the reference of the plantation acts, to the opinion of gentlemen of the law. But all this may be done, as the Irish business of the same nature has always been done, by the council, and with a reference to the attorney and solicitor general.

There are some regulations in the household relative to the officers of the yeomen of the guards, and the officers and band of gentlemen pensioners, which I shall likewise submit to your consideration, for the purpose of regulating establishments, which at present are much abused.

I have now finished all, that for the present I shall trouble you with, on the *plan of reduction.* I mean next to propose to you the *plan of arrangement,* by which I

mean to appropriate and fix the civil list money to its several services according to their nature; for I am sensible, that if a discretion, wholly arbitrary, can be exercised over the civil list revenue, although the most effectual methods may be taken to prevent the inferior departments from exceeding their bounds, the plan of reformation will still be left very imperfect. It will not, in my opinion, be safe to permit an entirely arbitrary discretion even in the first lord of the treasury himself: it will not be safe to leave with him a power of diverting the public money from its proper objects, of paying it in an irregular course, or of inverting (perhaps) the order of time dictated by the proportion of value, which ought to regulate his application of payment to service.

I am sensible too, that the very operation of a plan of economy which tends to exonerate the civil list of expensive establishments, may in some sort defeat the capital end we have in view, the independence of parliament; and that in removing the public and ostensible means of influence, we may increase the fund of private corruption. I have thought of some methods to prevent an abuse of surplus cash under discretionary application; I mean the heads of *secret service*, *special service*, *various payments*, and the like; which, I hope, will answer, and which, in due time, I shall lay before you. Where I am unable to limit the quantity of the sums to be applied, by reason of the uncertain quantity of the service, I endeavour to confine it to its *line*; to secure an indefinite application to the definite service to which it belongs; not to stop the progress of expence in its line, but to confine it to that line in which it professes to move.

But that part of my plan, Sir, upon which I principally rest, that, on which I rely for the purpose of binding up, and securing the whole, is to establish a fixed and invariable order in all its payments, which it shall not be permitted to the first lord of the treasury, upon any pretence whatsoever, to depart from. I therefore divide the civil list payments into *nine* classes, putting each class forward ac-

cording to the importance or justice of the demand, and to the inability of the persons entitled to enforce their pretensions; that is, to put those first who have the most efficient offices, or claim the justest debts; and, at the same time, from the character of that description of men, from the retiredness, or the remoteness of their situation, or from their want of weight and power to enforce their pretensions, or from their being entirely subject to the power of a minister, without any reciprocal power of awing him, ought to be the most considered, and are the most likely to be neglected; all these I place in the highest classes: I place in the lowest those whose functions are of the least importance, but whose persons or rank are often of the greatest power and influence.

In the first class I place the *judges*, as of the first importance. It is the public justice that holds the community together; the ease, therefore, and independence of the judges, ought to supersede all other considerations, and they ought to be the very last to feel the necessities of the state, or to be obliged either to court or bully a minister for their right: they ought to be as *weak solicitors on their own demands*, as strenuous assertors of the rights and liberties of others. The judges are, or ought to be, of a *reserved* and retired character, and wholly unconnected with the political world.

In the second class, I place the foreign ministers. The judges are the links of our connections with one another; the foreign ministers are the links of our connection with other nations. They are not upon the spot to demand payment, and are therefore the most likely to be, as in fact they have sometimes been, entirely neglected, to the great disgrace, and perhaps the great detriment of the nation.

In the third class, I would bring all the tradesmen who supply the crown by contract or otherwise.

In the fourth class, I place all the domestic servants of the king, and all persons in efficient offices, whose salaries do not exceed two hundred pounds a year.

In the fifth, upon account of honour, which ought to give place to nothing but charity and rigid justice, I would place the pensions and allowances of his majesty's royal family, comprehending of course the queen, together with the stated allowance of the privy purse.

In the sixth class, I place these efficient offices of duty, whose salaries may exceed the sum of two hundred pounds a year.

In the seventh class, that mixed mass, the whole pension list.

In the eighth, the offices of honour about the king.

In the ninth and the last of all, the salaries and pensions of the first lord of the treasury himself, the chancellor of the exchequer, and the other commissioners of the treasury.

If, by any possible mismanagement of that part of the revenue which is left at discretion, or by any other mode of prodigality, cash should be deficient for the payment of the lowest classes, I propose, that the amount of those salaries where the deficiency may happen to fall, shall not be carried as debt to the account of the succeeding year, but that it shall be entirely lapsed, sunk, and lost; so that government will be enabled to start in the race of every new year, wholly unloaded, fresh in wind and in vigour. Hereafter, no civil list debt can ever come upon the public. And those who do not consider this as saving, because it is not a certain sum, do not ground their calculations of the future on their experience of the past.

I know of no mode of preserving the effectual execution of any duty, but to make it the direct interest of the executive officer that it shall be faithfully performed. Assuming, then, that the present vast allowance to the civil list is perfectly adequate to all its purposes, if there should be any failure, it must be from the mismanagement or neglect of the first commissioner of the treasury: since, upon the proposed plan, there can be no expence of any consequence, which he is not himself previously to authorize and finally to controul. It is therefore just, as well as politic, that the loss should attach upon the delinquency.

If the failure from the delinquency should be very considerable, it will fall on the class directly above the first lord of the treasury, as well as upon himself and his board. It will fall, as it ought to fall, upon offices of no primary importance in the state; but then it will fall upon persons, whom it will be a matter of no slight importance for a minister to provoke — it will fall upon persons of the first rank and consequence in the kingdom; upon those who are nearest to the king, and frequently have a more interior credit with him than the minister himself. It will fall upon masters of the horse, upon lord chamberlains, upon lord stewards, upon grooms of the stole, and lords of the bedchamber. The household troops form an army, who will be ready to mutiny for want of pay, and whose mutiny will be *really* dreadful to a commander in chief. A rebellion of the thirteen lords of the bedchamber would be far more terrible to a minister, and would probably affect his power more to the quick, than a revolt of thirteen colonies. What an uproar such an event would create at court! What *petitions*, and *committees*, and *associations* would it not produce! Bless me! what a clattering of white sticks and yellow sticks would be about his head — what a storm of gold keys would fly about the ears of the minister — what a shower of Georges, and Thistles, and medals, and collars of S. S. would assail him at his first entrance into the antichamber, after an insolvent Christmas quarter. A tumult which could not be appeased by all the harmony of the new-year's ode. Rebellion it is certain there would be; and rebellion may not now indeed be so critical an event to those who engage in it, since its price is so correctly ascertained; — ascertained at just a thousand pounds.

Sir, this classing, in my opinion, is a serious and solid security for the performance of a minister's duty. Lord Coke says, that the staff was put into the treasurer's hand, to enable him to support himself when there was no money in the exchequer, and to beat away importunate solicitors. The method, which I propose, would hinder him from the necessity of such a broken staff to lean on, or such a

miserable weapon for repulsing the demands of worthless suitors, who, the noble lord in the blue ribbon knows, will bear many hard blows on the head, and many other indignities, before they are driven from the treasury. In this plan, he is furnished with an answer to all their importunity; an answer far more conclusive, than if he had knocked them down with his staff — "Sir, (or my lord,) you are calling for my own salary — Sir, you are calling for the appointments of my colleagues who sit about me in office — Sir, you are going to excite a mutiny at court against me — you are going to estrange his majesty's confidence from me, through the chamberlain, or the master of the horse, or the groom of the stole."

As things now stand, every man, in proportion to his consequence at court, tends to add to the expences of the civil list, by all manner of jobs, if not for himself, yet for his dependents. When the new plan is established, those who are now suitors for jobs, will become the most strenuous opposers of them. They will have a common interest with the minister in public economy. Every class, as it stands low, will become security for the payment of the preceding class; and thus the persons, whose insignificant services defraud those that are useful, would then become interested in their payment. Then the powerful, instead of oppressing, would be obliged to support the weak; and idleness would become concerned in the reward of industry. The whole fabric of the civil economy would become compact and connected in all its parts; it would be formed into a well organized body, where every member contributes to the support of the whole; and where even the lazy stomach secures the vigour of the active arm.

This plan, I really flatter myself, is laid, not in official formality, nor in airy speculation, but in real life, and in human nature, in what "comes home (as Bacon says) to the business and bosoms of men." You have now, Sir, before you, the whole of my scheme, as far as I have digested it into a form, that might be in any respect worthy of your consideration. I intend to lay it before you in

five bills *. The plan consists, indeed, of many parts; but they stand upon a few plain principles. It is a plan which takes nothing from the civil list without discharging it of a burthen equal to the sum carried to the public service. It weakens no one function necessary to government; but on the contrary, by appropriating supply to service, it gives it greater vigour. It provides the means of order and foresight to a minister of finance, which may always keep all the objects of his office, and their state, condition, and relations, distinctly before him. It brings forward accounts without hurrying and distressing the accountants: whilst it provides for public convenience, it regards private rights. It extinguishes secret corruption almost to the possibility of its existence. It destroys direct and visible influence equal to the offices of at least fifty members of parliament. Lastly, it prevents the provision for his majesty's children, from being diverted to the political purposes of his minister.

These are the points on which I rely for the merit of the plan: I pursue economy in a secondary view, and only as it is connected with these great objects. I am persuaded, that even for supply, this scheme will be far from unfruitful, if it be executed to the extent I propose it. I think it will give to the public, at its periods, two or three hundred thousand pounds a year; if not, it will give them a system of economy, which is itself a great revenue. It gives me no little pride and satisfaction, to find that the principles of my proceedings are, in many respects, the very same with those which are now pursued in the plans of the French minister of finance. I am sure, that I lay before you a scheme easy and practicable in all its parts. I know it is common at once to applaud and to reject all attempts of this nature. I know it is common for men to say, that such and such things are perfectly right — very desirable; but that, unfortunately, they are not practicable. Oh! no, Sir, no. Those things which are

* Titles of the bills read.

not practicable, are not desirable. There is nothing in the world really beneficial, that does not lie within the reach of an informed understanding, and a well directed pursuit. There is nothing that God has judged good for us, that he has not given us the means to accomplish, both in the natural and the moral world. If we cry, like children for the moon, like children we must cry on.

We must follow the nature of our affairs, and conform ourselves to our situation. If we do, our objects are plain and compassable. Why should we resolve to do nothing, because what I propose to you may not be the exact demand of the petition; when we are far from resolved to comply even with what evidently is so? Does this sort of chicanery become us? The people are the masters. They have only to express their wants at large and in gross. We are the expert artists; we are the skilful workmen, to shape their desires into perfect form, and to fit the utensil to the use. They are the sufferers, they tell the symptoms of the complaint; but we know the exact seat of the disease, and how to apply the remedy, according to the rules of art. How shocking would it be to see us pervert our skill, into a sinister and servile dexterity, for the purpose of evading our duty, and defrauding our employers, who are our natural lords, of the object of their just expectations. I think the whole not only practicable, but practicable in a very short time. If we are in earnest about it, and if we exert that industry, and those talents in forwarding the work, which I am afraid may be exerted in impeding it, I engage, that the whole may be put in complete execution within a year. For my own part, I have very little to recommend me for this or for any task, but a kind of earnest and anxious perseverance of mind, which, with all its good and all its evil effects, is moulded into my constitution. I faithfully engage to the House, if they choose to appoint me to any part in the execution of this work, which (when they have made it theirs by the improvements of their wisdom, will be worthy of the able assistance they may give me) that by night and by day, in town, or in

country, at the desk, or in the forest, I will, without regard to convenience, ease, or pleasure, devote myself to their service, not expecting or admitting any reward whatsoever. I owe to this country my labour, which is my all; and I owe to it ten times more industry, if ten times more I could exert. After all I shall be an unprofitable servant.

At the same time, if I am able, and if I shall be permitted, I will lend an humble helping hand to any other good work which is going on. I have not, Sir, the frantic presumption to suppose, that this plan contains in it the whole of what the public has a right to expect, in the great work of reformation they call for. Indeed, it falls infinitely short of it. It falls short, even of my own ideas. I have some thoughts not yet fully ripened, relative to a reform in the customs and excise, as well as in some other branches of financial administration. There are other things too, which form essential parts in a great plan for the purpose of restoring the independence of parliament. The contractors' bill of last year if is fit to revive; and I rejoice that it is in better hands than mine. The bill for suspending the votes of custom-house officers, brought into parliament several years ago, by one of our worthiest and wisest members *, (would to God we could along with the plan revive the person who proposed it). But a man of very real integrity, honour, and ability will be found to take his place, and to carry his idea into full execution. You all see how necessary it is to review our military expences for some years past, and, if possible, to bind up and close that bleeding artery of profusion: but that business also, I have reason to hope, will be undertaken by abilities that are fully adequate to it. Something must be devised (if possible) to check the ruinous expence of elections.

Sir, all or most of these things must be done. Every one must take his part.

If we should be able, by dexterity or power, or intrigue, to disappoint the expectations of our constituents, what

* W. Dowdeswell, Esq. chancellor of the exchequer, 1765.

will it avail us? we shall never be strong or artful enough to parry, or to put by the irresistible demands of our situation. That situation calls upon us, and upon our constituents too, with a voice which *will* be heard. I am sure no man is more zealously attached than I am to the privileges of this House, particularly in regard to the exclusive management of money. The Lords have no right to the disposition, in any sense, of the public purse; but they have gone further in * self-denial than our utmost jealousy could have required. A power of examining accounts, to censure, correct, and punish, we never, that I know of, have thought of denying to the House of Lords. It is something more than a century since we voted that body useless: they have now voted themselves so. The whole hope of reformation is at length cast upon *us*; and let us not deceive the nation, which does us the honour to hope every thing from our virtue. If *all* the nation are not equally forward to press this duty upon us, yet be assured that they all equally expect we should perform it. The respectful silence of those who wait upon your pleasure ought to be as powerful with you as the call of those who require your service as their right. Some, without doors, affect to feel hurt for your dignity, because they suppose that menaces are held out to you. Justify their good opinion, by shewing that no menaces are necessary to stimulate you to your duty. But, *Sir*, whilst we may sympathize with them in one point who sympathize with us in another, we ought to attend no less to those who approach us like men, and who, in the guise of petitioners, speak to us in the tone of a concealed authority. It is not wise to force them to speak out more plainly what they plainly mean. — But the petitioners are violent! Be it so; those who are least anxious about your conduct are not those that love you most. Moderate affection and satiated enjoyment are cold and respectful; but an ardent and injured

* In the debate on the rejection of Lord Shelburne's motion in the House of Lords. See New Parliamentary History, vol. xx. p. 1318.

passion is tempered up with wrath, and grief, and shame, and conscious worth, and the maddening sense of violated right. A jealous love lights his torch from the firebrands of the furies. They who call upon you to belong *wholly* to the people, are those who wish you to return to your *proper* home; to the sphere of your duty, to the post of your honour, to the mansion-house of all genuine, serene, and solid satisfaction. We have furnished to the people of England (indeed we have) some real cause of jealousy. Let us leave that sort of company which, if it does not destroy our innocence, pollutes our honour: let us free ourselves at once from every thing that can increase their suspicions and inflame their just resentment: let us cast away from us, with a generous scorn, all the love-tokens and symbols that we have been vain and light enough to accept; all the bracelets and snuff-boxes, and miniature-pictures, and hair-devices, and all the other adulterous trinkets that are the pledges of our alienation, and the monuments of our shame: let us return to our legitimate home, and all jars and all quarrels will be lost in embraces: let the Commons in parliament assembled be one and the same thing with the commons at large; the distinctions that are made to separate us are unnatural and wicked contrivances: let us identify, let us incorporate ourselves with the people: let us cut all the cables and snap the chains which tie us to an unfaithful shore, and enter the friendly harbour, that shoots far out into the main its moles and jettees to receive us. "War with the world, and peace with our constituents." Be this our motto and our principle. Then, indeed, we shall be truly great. Respecting ourselves, we shall be respected by the world. At present all is troubled and cloudy, and distracted, and full of anger and turbulence, both abroad and at home: but the air may be cleared by this storm, and light and fertility may follow it. Let us give a faithful pledge to the people, that we honour, indeed, the crown, but that we *belong* to them; that we are their auxiliaries, and not their task-masters; the fellow-labourers in the same vineyard,

not lording over their rights, but helpers of their joy: that to tax them is a grievance to ourselves, but to cut off from our enjoyments to forward theirs is the highest gratification we are capable of receiving. I feel, with comfort, that we are all warmed with these sentiments, and while we are thus warm, I wish we may go directly and with a cheerful heart to this salutary work.

Sir, I move for leave to bring in a bill "For the better regulation of his majesty's civil establishments, and of certain public offices; for the limitation of pensions, and the suppression of sundry useless, expensive, and inconvenient places; and for applying the monies saved thereby to the public service."

Mr. Fox seconded the motion. Lord North stated, that there was a difference between this bill for regulating the establishments and some of the others, as they affected the ancient patrimony of the crown, and therefore wished them to be postponed till the king's consent could be obtained. This distinction was strongly controverted; but when it was insisted on as a point of decorum *only*, it was agreed to postpone them to another day. Accordingly, on the Monday following, viz. Feb. 14. leave was given, on the motion of Mr. Burke, without opposition, to bring in, 1st, "A bill for the sale of the forest and other crown lands, rents, and hereditaments, with certain exceptions; and for applying the produce thereof to the public service; and for securing, ascertaining, and satisfying tenant-rights, and common and other rights." 2d, "A bill for the more perfectly uniting to the crown the principality of Wales, and the county palatine of Chester, and for the more commodious administration of justice within the same; as also for abolishing certain offices now appertaining thereto; for quieting dormant claims, ascertaining and securing tenant-rights; and for the sale of all forest lands, and other lands, tenements, and hereditaments held by his majesty in right of the said principality, or county palatine of Chester; and for applying the produce thereof to the public service." 3d, "A bill for uniting to the crown the duchy and county palatine of Lancaster; for the suppression of unnecessary offices now belonging thereto; for the ascertainment and security of tenant and other rights;

and for the sale of all rents, lands, tenements, and hereditaments, and forests, within the said duchy and county palatine, or either of them; and for applying the produce thereof to the public service." And it was ordered that Mr. Burke, Mr. Fox, Lord John Cavendish, Sir George Savile, Colonel Barré, Mr. Thomas Townshend, Mr. Byng, Mr. Dunning, Sir Joseph Mawbey, Mr. Recorder of London, Sir Robert Clayton, Mr. Frederick Montagu, the Earl of Upper Ossory, Sir William Guise, and Mr. Gilbert, do prepare and bring in the same. At the same time Mr. Burke moved for leave to bring in, 4th, "A bill for uniting the duchy of Cornwall to the crown; for the suppression of certain unnecessary offices now belonging thereto, for the ascertainment and security of tenant and other rights; and for the sale of certain rents, lands, and tenements within or belonging to the said duchy; and for applying the produce thereof to the public service." But some objections being made by the surveyor-general of the duchy concerning the rights of the Prince of Wales, now in his minority, and Lord North remaining perfectly silent, Mr. Burke, at length, though he strongly contended against the principle of the objection, consented to withdraw this last motion for the *present*, to be renewed upon an early occasion.

MR. BURKE'S ESTABLISHMENT BILL.

February 23.

THIS day Mr. Burke presented to the House his celebrated bill for a general reform in the public economy, of which the following is a copy:

"A Bill for the better Regulation of His Majesty's Civil Establishments, and of certain Public Offices; for the Limitation of Pensions, and the Suppression of sundry useless, expensive, and inconvenient Places; and for applying the Monies saved thereby to the Public Service.

"Whereas the large aids which have been given and granted to his majesty in support of the present war, have caused a very considerable increase of the public debt, and have subjected

the good people of this realm to many burthens and inconveniences:

"And whereas further grants of his majesty's faithful Commons, and further burthens on the subject, may be still necessary, and it is the bounden duty of the representatives of the Commons of this land, as well as most agreeable to his majesty's fatherly love to his people, who have loyally and dutifully borne several new impositions in support of the honour of his crown, that all due care shall be taken, by a reduction of unnecessary charges, by introducing a better order into the management of the expences of his majesty's civil establishments, by rendering the public accounts more easy, by a further security for the independence of parliament, and by applying monies which are not now so profitably husbanded to the public service, to afford all possible relief and comfort to the said deserving people, adding thereby strength to his majesty's government, and giving the greater effect to his exertions against the ancient enemies and rivals of his crown and kingdoms: in order therefore, to make some provision towards the said good purposes, be it enacted by the King's most excellent majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present parliament assembled, and by the authority of the same, that from and after the the office commonly called or known by the name of third secretary of state, or secretary of state for the colonies, (the same not being necessary) together with the offices of the under secretary, or under secretary of state, for the said department, and the places of all clerks or others employed in or under the said office or offices, shall be and the same is hereby taken away and abolished.

"And be it further enacted by the authority aforesaid, that from and after the the office commonly known by the name and description of the board of trade and plantations, the commissioners whereof receive salaries for their attendance in the execution of the said commission, together with the office or offices of the secretary or secretaries, and all other offices belonging, or reputed to belong, to the said board of trade and plantations, shall be and the same is hereby taken away and abolished.

"And be it further enacted by the authority aforesaid, that the duty now done by the third secretary of state, or secretary of

state for the colonies, shall be done and performed by one or both of the other secretaries of state, according as his majesty, in his wisdom, shall from time to time direct and appoint.

"And be it also enacted by the authority aforesaid, that the duty or business done, or which ought legally to be done by the commissioners commonly called the board of trade and plantations, shall be performed in the manner in which the same was done or performed by his majesty's privy council, or any committee or committees thereof, before the particular institution of the said board, or in any other manner which his majesty shall hereafter in the said council direct and appoint to be by the said council, or any committee thereof, done and exercised.

"And be it hereby enacted by the authority aforesaid, that authorities, powers and duties, which by an act or acts of parliament are directed to be exercised and performed by the said commissioners of trade and plantations, shall be transferred to the said privy council, or any committee of the same, in the like manner and with the same directions, powers, and trusts, as by the said acts of parliament, or any of them, is or are vested in the commissioners of trade aforesaid.

"And whereas the constitution of certain offices of the court, and of his majesty's household, hath been framed, in many particulars upon usages and customs which are long since discontinued, and the keeping up the same is inconvenient, and hath a tendency to create expence, and to prevent the superintendence necessary for establishing good order, and the frugal administration of his majesty's civil list revenues, and the proportioning the several parts thereof to the necessary charges of his majesty's government; be it enacted by the authority aforesaid, that from and after the the offices of the treasurer of the chamber, the treasurer of the household, the cofferer of the household, the comptroller of the household, the offices commonly called the master of the household, and clerks of the green cloth, and the deputies, clerks, and assistants of any of them, and all inferior offices appertaining to the said above-named offices, or reputed or taken to belong to the said offices or reputed offices, or any of them, be abolished and taken away, together with all the offices, or reputed offices, belonging to or depending on the same.

"Provided always, and be it further enacted, that nothing

herein contained shall extend or be construed to extend, to take away or in any respect derogate from the jurisdiction which now may be lawfully exercised by the court commonly called the green cloth; but that the same may be held and exercised, and it is hereby enacted, that the same shall be held and exercised, with all the accustomed lawful jurisdiction, powers, and privileges belonging to the same, by the chamberlain of the household, the steward of the household, the vice-chamberlain of the household, the groom of the stole, and the master of the horse, (without any treasurer or clerks of the green cloth) any thing in the present act, or any other statute, law, or usage, to the contrary notwithstanding.

"And whereas his majesty's loyal subjects are interested that his majesty's household should be kept up and maintained with due dignity, and at the same time that his majesty's establishments should not be encumbered with debt; and forasmuch as the reducing all standing expences to certainty contributes much to good order and magnificence, as well as to the prevention of all delays of payment, dishonourable to the crown, and burthensome in the event to the public; be it enacted by the authority aforesaid, that the lord steward of his majesty's household may and shall take an account of all persons who now are maintained, or whom his majesty shall order to be maintained, at board, during his majesty's pleasure, in his majesty's household, and may and shall distribute the same into a certain number of tables, for a certain number of persons, according to the quality and condition of the persons who shall be so tabled; and shall contract for the keeping up the same, and all things to the same appertaining, at a fixed sum by the head, which contract or contracts shall be previously examined by the board of treasury, and shall, on due examination, and calling before them persons experienced in such matters, be approved or disapproved by the same, in the whole or any part thereof; and the sum which after such examination shall have been agreed to be paid to the contractors, shall be paid and discharged at the exchequer, and not elsewhere, by order from the lord high treasurer, or the lords commissioners of the treasury, for the time being; which order shall not be given until a certificate shall be produced from the lord steward of the household, that the said contract hath been faithfully performed, according to the true intent, meaning, and full effect thereof: provided,

that nothing in this act shall extend, or be construed to extend, to restrain his majesty from adding to or diminishing the number and quality of the tables of his household, at his pleasure, provided that such new, as well as the old establishments, shall be kept by contract, with the regulations and conditions herein before enacted.

" And be it enacted by the authority aforesaid, that the said contractors shall be, for all matters relating to the due execution of the aforesaid contracts, under the constant and immediate direction and inspection of the said lord steward of the household. . . .

" Provided also, that every person who shall make or execute such contracts with the lord steward of the household, shall really and *bonâ fide* be such as is at the time of making such contracts or has been within years before the time of contracting, engaged in the trade and occupation in which he makes the said contract, and no other; and that no person shall have or enjoy the profit of the said contracts, or any share or part of the benefit thereof, except the immediate person or persons who shall have contracted for fulfilling and executing the same, under the penalty of for every offence contrary to the true intent and meaning of this provision, to be recovered by action of debt, bill, plaint, or information, in any of his majesty's courts of record at Westminster, in which no essoign, protection, privilege, or wager of law, or more than one imparlance, shall be allowed; nor shall any person having a contract be, during the time of his holding thereof, capable of being elected, or of sitting and voting as a member of parliament.

" And be it further enacted by the authority aforesaid, that the office of the great wardrobe, the office of the removing wardrobe, the office of master of the robes, the office called the jewel office, and all the places and charges, whether of persons presiding in or dependent on them, or any of them, of what nature soever, except those of one house-keeper, and one wardrobe-keeper (the said places to be united after the possession of the present occupiers) in each of his majesty's palaces and houses, shall be, and the same are hereby abolished.

" And it is hereby enacted by the authority aforesaid, that from and after the the office commonly called the board of works shall be abolished, together with all the offices thereof and thereon dependent.

"And be it enacted by the authority aforesaid, that all the king's buildings shall be under the direction of some one person who shall be constituted and appointed by his majesty, during his royal pleasure, surveyor or comptroller of his majesty's works; and all the royal gardens shall be under a person who shall also be appointed by his majesty, during his majesty's pleasure, surveyor or comptroller of the king's gardens, at such salaries as his majesty shall please to appoint; the said surveyor or comptroller of such works, being *bonâ fide* by profession an architect or builder; and the said surveyor of gardens, in like manner, a gardener, or improver of grounds; and the said persons, during the holding of the said offices, shall be, and they are hereby declared to be incapable of being elected into, or of sitting and voting in parliament.

"And be it enacted by the authority aforesaid, that if any building, or any repair, shall be thought fit to be erected, made, or done, about any public building, or if any public work or works for his majesty's service shall be undertaken, or any sum or sums of money shall be directed to be laid out for the said purposes, or any of them, above the sum of to be incurred within the surveyor or comptroller of his majesty's works, shall present a plan (if a plan should be necessary or usual in such works) and an estimate of the same to the lord chamberlain, who shall certify the same to the commissioners of his majesty's treasury, which board may authorize the said surveyor, architect, or builder, to execute the same; and if the costs and expences of the said work shall be likely to exceed the sum of in the whole, they shall and may direct the said surveyor to contract for the execution of the said work; who may and shall report upon, and controul the execution thereof, in all its parts, and at all times, during the progress thereof.

"Provided always, that it shall not be lawful for the said surveyor, architect, or builder, to make any contract as aforesaid conclusively until the same is approved by the commissioners of the treasury, or to make any addition in the expence exceeding above the plan or estimate, until the same shall be approved by the said commissioners of the treasury; nor shall the said commissioners be authorized to make any payment, or part of payment, by virtue of the said contracts, which in the whole shall exceed the sum of until the same shall

be surveyed by a builder of credit, not concerned in any of the public works; who shall be called in, and allowed per day for his trouble, and shall certify to the said commissioners of the treasury, upon oath (which oath the said commissioners of the treasury are hereby authorized and required to administer) that the work hath been executed, as far as the same hath proceeded, in a workmanlike and durable manner, and with the best materials; provided that the same builder shall not be twice successively employed in the said survey.

"And be it enacted by the authority aforesaid; that no new works in his majesty's parks or gardens, the expence of which may exceed in the whole the sum of above the ordinary charge (an estimate of which ordinary charge is hereby directed to be laid quarterly before the commissioners of the treasury) shall be undertaken or performed without an estimate, which shall be approved and ordered to be executed by the said commissioners of the treasury; who shall issue, or cause to be issued, the money for the execution of the same, as well as for the said ordinary charge, which is hereby directed to be paid monthly to the surveyor of his majesty's gardens.

"And be it further enacted by the authority aforesaid, that the several duties performed in certain departments and offices but by this act suppressed, shall be hereafter performed by the persons and in the manner following; (that is to say) that the payment of all salaries, and other charges whatsoever, which were heretofore paid or payable by the treasurer of the household, treasurer of the chamber, or cofferer of the household, shall be hereafter paid at the exchequer, upon the certificate of the lord chamberlain, vice chamberlain, or steward of the household, within their respective departments, to the commissioners of his majesty's treasury, that the same is due.

"And it is hereby enacted, that the furniture, pictures, jewels, plate, and all other moveables whatsoever, formerly under the care and management of the office of great wardrobe, or other wardrobe, or jewel office, or any of them, shall be hereafter committed to the care and management of the lord chamberlain or vice chamberlain; and it is hereby provided, that all furniture, and other moveables, to be purchased for the use of his majesty's household, exceeding in value the sum of shall be contracted for by the lord chamberlain, in the manner, and with the like limitations, with which contracts are by this act directed to be

made, with regard to the maintenance of his majesty's household, and the public works.

" And it is hereby enacted, that the office of master of the robes, and all things thereto belonging, shall be executed and done by the groom of the stole.

" And, for the better regulation of the department of the master of the horse, it is hereby provided and enacted, that all expences attendant on the royal stables (except the buying in of horses) be performed by contract, in the manner and with the provisions and limitations herein before expressed, with regard to other contracts; and that the several offices of master of the buck-hounds, fox-hounds, and harriers, be abolished and taken away; and that whatever relates to the expences of such last-mentioned offices, shall be provided for, as much as may be, by contract, by the senior equerry or gentleman of the horse; and the payments for the same, on their accounts being allowed by the master of the horse, are to be made at the exchequer, along with the other charges of his majesty's stables, by an order from the commissioners of the treasury.

" And it is hereby enacted, that every office to the said stables belonging, which, by the making of the contracts aforesaid, shall be rendered useless, shall be and is hereby abolished.

" And, for the better regulation of certain places about the court, and the making the same of more advantage, and more suitable to the purposes of their institution, it is hereby enacted and declared, that the places of lieutenant and ensign, and all other inferior officers of or belonging to the body of the yeoman of the guard, after the determination of the officers respectively in the present possessors thereof, and also that all commission and other offices belonging to the band of gentlemen pensioners, under the captain of the band, as also the vacancies in the band of gentlemen pensioners, shall not be sold, but shall be filled only by officers of the army or navy upon half pay, of fifteen years' service from the date of their first commission.

" And it is enacted, that the holding the said offices, or any of them, shall not disable the said officers from holding and receiving also their half pay.

" And, as the pension lists are excessive, and not properly regulated; be it enacted by the authority aforesaid, that from and after the the office of paymaster of the pensions

shall be, and the same is hereby abolished; and that no pension whatsoever on the civil establishment shall hereafter be paid but at the exchequer, and along with those pensions which are now paid and entered in the exchequer under the head, title, or description of pensions; and that those which are transferred thither by this act shall be subject only to their present fees and taxes.

"And it is hereby further enacted by the authority aforesaid, that no pensions shall be granted on the said establishment, except on the address of either House of parliament, until the whole of the said list, made according to the directions of this act, shall be reduced to yearly; which sum it shall not be lawful by any grants, except as above excepted, to exceed; and that no pension hereafter to be granted to any one person, except as before excepted, shall amount to more than the sum of yearly.

"And whereas a custom hath prevailed of granting pensions on a private list during his majesty's pleasure, under colour, that in some cases it may not be expedient for the public good to divulge the names of the persons on the said list, or that it may be disagreeable to the persons receiving such payments to have it known that their distresses are so relieved, or under a pretence of saving the expence of fees and taxes on small pensions; by means of which said usage much secret and dangerous corruption may hereafter be practised, and the before enacted wholesome provision be in some manner evaded: and whereas it hath pleased Almighty God, in his providence, frequently to visit with distresses all orders and conditions of men, and that persons of the greatest worth are oftentimes meanly provided with the goods of fortune, and that it is no disparagement for any person to be relieved by the royal bounty in their distress, or for their desert; but, on the contrary, most honourable to be thought worthy to be so favoured, as appeareth by many of highest place and desert who have been and now are frequently put upon a public list, greatly to their own contentment, and to the furtherance of their estimation: be it therefore enacted, that all persons (except as hereinafter excepted) who now are entitled, during his majesty's pleasure, to any pension, or any private or secret pension list or lists kept by the first commissioner of the treasury or chancellor of the exchequer, or one or both of the secretaries of the treasury, or private secretary

to the chancellor of the exchequer, or first commissioner of the treasury, or some clerk of the treasury, or any of them, or any other person or persons, shall be no longer paid privately; but that the names and pensions of the said pensioners, and every of them, as they shall be *bonâ fide* certified upon oath of the keepers and paymasters of the said lists, to have stood entitled on the said lists, on the day of be carried to the pension list in the exchequer, and be there paid, without any fee, deduction, or tax whatsoever, for and during the time of the continuance of the said pension at his majesty's pleasure, to the present grantees thereof.

" Provided that nothing herein contained shall restrain, or be construed to restrain, the first commissioner of the treasury, by his majesty's consent, from taking away, or causing to be taken away, from the private list or lists of such pensions, before the same are entered in the exchequer, according to the directions of this act, the names and pensions of any person or persons which at present are entered on the said private list or lists, or any of them.

" Provided also, that it shall and may be lawful for the first commissioner of the treasury to return into the exchequer any pension or annuity, without the name of the person to whom the same is to be paid, on taking an oath before the barons of the exchequer, or one baron of the exchequer, or before the cursitor baron, in the form following; viz.

' I *A. B.* do swear, that, according to the best of my know-
' ledge, belief, and information, the pension or pensions,
' or annuity or annuities, returned without a name by me
' into the exchequer, hath or have been given for the
' service of the state in its foreign affairs, and in my judg-
' ment the divulging thereof may be of detriment to the
' state in its foreign transactions; and I swear that the same
' is or are not, to my knowledge or belief, directly or in-
' directly, for the benefit, use, or behoof of any member
' of either House of parliament, or applicable, directly or
' indirectly, for the purpose of supporting or procuring an
' interest in any place returning members to parliament.
' So help me GOD.'

And that on taking the said oath, the pension or pensions, annuity or annuities aforesaid, shall be paid at the exchequer, to

the order of the first commissioner of the treasury, and his receipt shall be taken for an acquittance of the same.

" Provided further, that if the said pension should continue on the said list for more than years, the first commissioner of the treasury, or one of the secretaries, or one of the chief clerks of the treasury, shall make oath, before such pension shall be paid at the exchequer, that they do believe that the person for whose use the said pension or annuity hath been granted is living.

" And for preventing, as much as may be, all abuses in the disposal of monies issued under the head of secret service money, or money for special service; be it enacted by the authority aforesaid, that it shall not be lawful to issue or imprest from the exchequer, or order to be paid by a treasury warrant, or under sign manual, or otherwise, to any secretary or secretaries of the treasury, or to any other person or persons whatsoever, for the purpose of secret service within this kingdom, any sum or sums of money which in the whole shall exceed the sum of in any one year.

" And be it enacted by the authority aforesaid, that when it shall be deemed expedient by the commissioners of his majesty's treasury to issue, or in any manner to direct the payment of any sum or sums of money for foreign secret service, the same shall be issued and paid to one of his majesty's principal secretaries of state, or to the first commissioner of the admiralty, who shall sign a receipt for the same, upon parchment or vellum, and which said receipt shall, within days, be filed at the exchequer; and the said secretary or secretaries of state, or first commissioner of the admiralty, shall, for his discharge at the exchequer, within years from the date of his said receipt, produce the receipt of his majesty's minister, commissioner, or consul in foreign parts, or of any commander in chief, or other commander of his majesty's navy or land forces, to whom the said money hath been sent or given, that the same hath been received and applied for the purpose for which the same has been issued; which said receipt shall and is hereby directed to be filed in the exchequer, in order to charge the said minister, commissioner, consul, or commander of his majesty's land or sea forces, with the same; and the said receipt, on proof of the hand-writing by legal evidence, or by comparison of hands, shall be sufficient to acquit and discharge

the said secretary or secretaries, or first commissioner of the admiralty, in their said account at the exchequer.

"And be it enacted, that any foreign minister, consul, or commander of his majesty's land or sea forces, who shall stand charged at the exchequer for or by reason of any secret service money by him received, shall stand discharged and acquitted thereof, if, within after his arrival in Great Britain, he shall make oath before the barons of the exchequer, or one of them, in the form following:

'I *A. B.* do swear, that I have disposed of the money entrusted to me for foreign secret service faithfully, according to the intent and purpose for which it was given, according to my best judgment, for his majesty's service. So help me GOD.'

"Provided always, that whenever it shall be necessary for the principal secretary or secretaries to make payment of the said money, so issued for foreign secret service, in any place within this kingdom, then it shall be sufficient, to acquit and discharge the said secretary or secretaries, or first commissioner of the admiralty, for such secretary or secretaries, or the under secretary of state in the office to which such secret service money hath been paid, or for the first commissioner of the admiralty, or the secretary of the admiralty, to make oath before the barons of the exchequer, or one of them, or before the cursitor baron, in the form following:

'I *A. B.* do swear, that the money paid to me for foreign secret service, has been applied to the said purpose of foreign secret service, and no other; and that it hath not appeared to me convenient to the state that the same should be paid abroad. So help me GOD.'

"And be it enacted, that whenever any sum or sums of money shall be issued for the purpose of special service, or shall be given of his majesty's royal bounty, to any secretary or secretaries of the treasury, or others, the said sum or sums of money, together with the special service or services, or as royal bounty, of which the same is or are applied, as also the name of the person or persons to whom the said money is paid, shall be entered in a book to be kept for that purpose in the treasury, and a faithful transcript thereof shall, on or before the day of in every year, be deposited in the exchequer.

" And whereas the establishment of an invariable order in the payment of salaries, and other charges on the civil list, will enable those who have the charge thereof the better to provide for the several services to which the said civil list money ought to be applied, and will be the means to prevent the incurring of debt; be it enacted by the authority aforesaid, that from and after the day of the commissioners of the treasury shall and are hereby required to observe the following order in their payments, for which warrants are to be sent by them to the exchequer; namely, that they shall, in the first place, direct the payment of the salaries of the lord high chancellor of Great Britain, or lord keeper of the great seal, the speaker of the House of Commons, and judges of the courts of king's bench and common pleas, and barons of the exchequer; secondly, of the foreign ministers; thirdly, of those who by contract supply the king's household, or his master of the robes, or by contract execute any public work, and of the bills and demands of all tradesmen and artificers who are employed in the same, or either of them, though without contract; fourthly, of all menial servants in his majesty's household, and persons in any office, whose salary doth not exceed per annum; fifthly, the pensions and allowances of the royal family, and his majesty's privy purse, at the present establishment thereof, unless his majesty shall order the same to be reduced; sixthly, of all persons serving in public offices of business, above per annum; seventhly, the pension list; eighthly, the officers of the court; ninthly and lastly, the salaries and pensions of the lords commissioners of the treasury and chancellor of the exchequer.

" And it is hereby enacted, that it shall not be lawful for the lords commissioners of the treasury to direct the payment of any salary or pension whatsoever, to be made under sign manual or otherwise, until the salaries and pensions of all those who are entitled, according to the foregoing order, are first discharged, or cash set apart in the exchequer sufficient to answer the whole demand in the preceding classes; and that for every offence contrary to the true intent and meaning hereof, the first commissioner of the treasury shall forfeit, on conviction, the sum of to be recovered by action of debt, bill, plaint, or information, in any of his majesty's courts of record at Westminster, in which no essoign, protection, privilege, or wager of law, or more than one imparlance, shall be allowed, half to the

informer, and half to St. George's hospital, in the county of Middlesex, and shall be rendered incapable of holding any office under the crown for the space of

"And be it enacted by the authority aforesaid, that if any salary, fee, or pension, or any part thereof, shall remain in arrear at the usual time of payment at the end of the year, from want of cash belonging to the civil list revenue to pay and discharge the same, the said arrear of salary, fee, or pension, shall not be carried as a debt to the account of the year following, but shall be wholly lapsed and extinguished, as if the same had not been payable.

"And be it enacted, that the commissioners of the treasury shall cause a regular book or books to be kept for the charges of each of the classes and articles aforesaid, distinctly and apart; and it is hereby directed, that the result of payments in the said several books contained, shall, in an orderly manner, and according to the usual method in which fair accounts are kept, be entered in a separate book at the end of each year, and the whole being opposed to the receipt of the civil list cash, a balance shall be struck upon the whole; a duplicate of which book and books is hereby directed to be deposited in the exchequer.

"And be it enacted, that if any balance of cash of the said civil list revenue shall remain, after making all payments as aforesaid, the said balance shall be laid up in the exchequer, or shall, at the discretion of the commissioners of the treasury, by his majesty's order under his sign manual, be placed in some of the public funds, in the name of the first commissioner of the treasury, in trust, that the interest of the said sum or sums of money so laid out to interest, shall be paid into the exchequer, until the said principal money and interest, or either of them, shall, by an order from his majesty, under his royal sign manual, and warrant of the lords commissioners of the treasury, be appointed and laid out for an establishment, or other provision, for any of his majesty's royal family, in such times, and such manner and proportion, as to his royal wisdom and pleasure shall seem meet.

"And whereas there have been hitherto great delays in passing the accounts of the paymaster general and treasurer of the navy, and other accountants, to the detriment of the public, and frequently to the vexation and disturbance of the accountable officers and their families; be it hereby enacted by the

authority aforesaid, that from and after the day of it shall not be lawful to imprest or issue to the paymaster general of his majesty's land forces, or treasurer of the navy, any sum or sums of money, for or on account of the payment of his majesty's sea or land forces, or any other payment usually made, or hereafter to be made, by them, or any of them except a sum of annually to the cashier of each office, in order to discharge small demands; for which sum the cashier or cashiers aforesaid shall stand charged at the exchequer, and shall make up an account of the same every year, and shall either repay the balance (if any) which shall appear to remain, or shall have a sum equal to the same deducted from the imprest of the year following.

" And be it further enacted by the authority aforesaid, that the sums of money which, according to former usage, have been imprested or issued to the said paymaster-general and treasurer of the navy, shall be in future imprested or issued in the like manner to the directors and company of the bank of England; and that the said paymaster-general and treasurer of the navy may and shall draw upon the said bank for such sums of money as shall be necessary, according to the usage of the said office, to pay over to deputy paymasters, or other agents of regiments, or for such other purposes as money was formerly payable for at the said offices, and at the time and manner in which such advances or issues were formerly made, and not otherwise; and the directors of the company of the bank of England are by this act authorized and required to pay to the amount of the cash in their hands for the purposes aforesaid; in which drafts, the paymaster or his deputy shall express the service for which the said draft was made.

" And be it further enacted by the authority aforesaid, that the directors of the bank of England shall every year, that is, on the day of make up an account with the exchequer, stating in such account the sums of money imprested to them, and the payments made in consequence of drafts from the said pay offices, together with the balance (if any) in their hands; and it shall not be lawful for the treasurer, chancellor, or barons of the exchequer, so long as the said account shall be clearly and satisfactorily made up as aforesaid, to order any issues, or other exchequer process, against the governor and company of the said bank, but that the surplus money (if any) shall remain in the said bank, and shall be considered as money in the exchequer disposable by parliament.

"And be it further enacted by the authority aforesaid, that the said paymaster-general, and the treasurer of the navy, shall severally make up a yearly account of all the drafts made by them on the bank, setting forth to whom, and when, and for what purpose, the same were made, and what paymasters and agents have made up their accounts, and how far, and what balance remains unaccounted for by each.

"And be it enacted by the authority aforesaid, that it shall and may be lawful, and it is hereby directed, that the auditor or auditors of the exchequer, to whom such audits do belong, shall account with any paymaster, or treasurer of the navy, for such sum or sums of money as have been imprested to them, or any of them, from the exchequer, to the present time, in which accounts credit shall be given to them for all sums of money which they shall prove, *bonâ fide*, to have issued and paid to the deputy paymasters and others.

"And it is hereby further enacted by the authority aforesaid, that the said paymaster, and treasurer of the navy, shall deliver in an account of such payments, and shall also make a state of what remains unaccounted for by the said deputy paymasters, agents, and others, as also of all demands outstanding upon them; and that when they have received credit for the same, they shall then be charged with such sum or sums of money only as remain unaccounted for after the credit given as aforesaid; and shall stand discharged and acquitted of all other demands whatsoever for or on account of the said imprests.

"And be it enacted by the authority aforesaid, that the auditor or auditors of the exchequer shall not stay the settlement of the said accounts, or any of them, because accountants prior in time have not settled with the exchequer, or that any other accountants, who have begun their accounts, have not concluded the same; any law, statute, or usage, to the contrary notwithstanding.

"And be it hereby enacted by the authority aforesaid, that no auditor of the exchequer, or any other officer of the exchequer, before whom accountants ought to account, shall stay the account of any person or persons, or the process against, or the acquittance of them or any of them, for or on account of defect of vouchers, if on reference to his majesty's attorney and solicitor general, and one master in chancery (which reference they are hereby authorised to make according to the case), it

shall appear to be their joint opinion, that the article in the account objected to for want of sufficient voucher, is vouched and attested in such a manner as would be allowed in accounts ordered by the court of chancery, or in civil cases, between party and party, at common law; any usage in the said office, or court of exchequer, to the contrary notwithstanding.

"And be it further enacted by the authority aforesaid, that an acquittance from the exchequer, in such form as shall be then settled, shall be given to all accountants, for what they have accounted for or paid, although the whole account is not concluded: and that all issues *nomine pœnæ*, levied and brought in the exchequer, shall be repaid to all and every accountant and accountants, when their said accounts shall be concluded, or credit given for the amount of the same in their account.

"And be it further enacted by the authority aforesaid, that in future, and after the accounts shall be so stated and settled as aforesaid, the said paymaster-general, and paymaster of the navy, shall not be considered as debtors in the exchequer, but shall be solely responsible, for fraud, malversation, irregularity, or neglect in their said offices, as other men in office are by law responsible for personal delinquency, and not otherwise, it not being reasonable that those should be charged in a money-account who have never had the charge or custody of money committed to them: provided, that nothing in this act contained shall be construed to exempt the cashier, deputy paymasters, army agents, or others, who shall have hereafter money actually paid to them by the bank as aforesaid, or any former accountants, from such process as the treasurer and barons of the exchequer shall direct, for compelling an account of such balances as the paymaster or treasurer of the navy shall report to be due, and unaccounted for, in their hands; for which balances the said barons are directed to issue speedy process, except as is herein excepted, and in such case where the commissioners of the treasury, on examination of the circumstances, shall direct a stay of the said process.

"And, in order that no reformation by this act intended to be made should operate as a retrospective penalty for any failures arising from the former insufficiency or ill order in the law, or in office; and whereas it is good and expedient for the commonwealth, that there should be some end of suits, as well between the public and private persons, as between private per-

sons among one another; therefore, for the final settlement of all such claims as may be vexatious, and sometimes ruinous, to the subject, without any adequate benefit to the state, be it enacted by the authority aforesaid, that a commission be forthwith issued by his majesty, authorizing the commissioners of the treasury, the chief baron of the exchequer, together with to have power, in a summary manner, to call before them the several accountants against whom balances are returned, or may be returned (excepting always those who are accountable by reason of any contract for the supply of stores, provisions, ships, or goods of any kind, for his majesty's service, since the year inclusive) fully to examine and audit their accounts severally; and they, or any of them, shall have power and authority, on examination of the case, to order payment of the balances which shall appear due, in such order or manner, and at such periods, and in such proportions, as to them shall seem reasonable and expedient; and the said commissioners, or any of them, are hereby authorized and required to return the said balances, and the said time of payment, into the exchequer; the proper officers of which are hereby directed to order process against the said accountants, according to the order of the said commissioners, and the times of payment appointed; which process it shall not be lawful for the barons of the exchequer, by themselves, or by order of the commissioners of the treasury, to respite.

"And be it enacted by the authority aforesaid, that the said commissioners shall have, and are hereby declared to have, full power and authority, on mature examination of the case, and the circumstances of all parties accountants (except as herein before excepted) according to the principles of equity, conscience, and sound discretion, to compound, or totally to discharge and acquit the said debtors and accountants, or any of them; which said composition or acquittance, being certified into the exchequer, shall admit the party or parties accountant there to stand charged with the said sum so compounded, or to be acquitted in the said exchequer on the said acquittance.

"And be it enacted by the authority aforesaid, that the said commissioners, and every of them, before they enter on their commission as aforesaid, shall take an oath in the words following, in the presence of the barons of the exchequer, or one of them; viz.

'I. *A. B.* do swear, that I will act in the execution of the 'commission appointed by his majesty for regulating the 'payments and times of payments, the compositions and 'acquittances of public accountants, according to an 'act intitled to the utmost of my skill and dis-'cretion, and according to equity and good conscience, 'between the public and such accountants as shall be 'brought before me; and that I will examine with dili-'gence and faithfulness, and determine without favour, 'malice, or prejudice, according to the true intent and 'meaning of the said act, as far as in me lies.

'So help me GOD.'

"And whereas several of the chief offices in the exchequer are, by law and usage, granted to be held during term of life, and have been reputed, in truth and fact, as pensions for life, and have been given as such, for the more honourable and independent provision of the persons or families of those who have served the state in great and laborious employments: and whereas it is for the honour as well as the advantage of the commonwealth, that whatever reward the said persons have acquired by their own merits, or those of their ancestors, and which the law of the land hath ensured to them, should not be taken away: and whereas it is equally expedient, that the crown should not in future be debarred from the means of making honourable and independent provision, according to reason, and the circumstances of the public, for those who shall serve the state: be it enacted by the authority aforesaid, that from and after the determination of the interest of the present possessors, and of the present grantees in reversion, the auditor of the receipt of the exchequer shall have, in lieu of all salary, fees, and dues, to the said office belonging, a salary or pension, clear of all deductions, of per annum, and no more; and that the persons hereafter appointed to the offices of the two auditors of the imprest, the chamberlain, clerk of the pells, and clerk of the pipe, and tellers of the exchequer, shall have and receive, after the lives of the present possessors, and grantees in reversion, to each a salary of per annum, clear, and no more, in lieu of all salaries, fees, and perquisites whatsoever, now claimed or enjoyed by the persons holding the said offices.

"And whereas the constitution of the mint is of a more ex-

pensive nature than is necessary, and the coinage ought to be of none, or little expence to the nation; be it hereby enacted by the authority aforesaid, that the office commonly called the mint, with all places, salaries, and fees annexed to, or in anywise appertaining to the same, shall, from and after the day of be abolished.

"Provided also, and it is hereby enacted by the authority aforesaid, that in compensation for the value of all or any of the offices in the mint which by this act are suppressed, and which by law are held for term of life (if any such there be) there shall be paid out of the aggregate fund an annuity equal to the salary and known legal fees and perquisites of the said office, as the same shall be proved before the commissioners of the treasury to have been received by the persons now holding the said offices, and to have been the annual value of the said offices on an average of years last past; and the same shall be certified by the commissioners of the treasury into the exchequer, and shall be paid half yearly to the person or persons so deprived, for and during the term of his or their natural lives.

"And be it hereby enacted, that the commissioners of the treasury may and shall contract with the directors and company of the bank of England for the coinage, for any term not exceeding years, under such directions and limitations as they shall judge most expedient for performing the same in the best, safest, cheapest, and most beneficial manner.

"Provided always, that the said coinage be executed by the company aforesaid, in the tower of London, and no where else.

"Provided also, that if the said corporation of the bank shall refuse to enter into such contract, or demand exorbitant terms, the commissioners of the treasury may, and are by this act authorized to contract with any other body corporate, or private person or persons, for the execution of the same, the said bodies corporate, or private persons, giving full security for the faithful performance of the said contract, under the restrictions by this act provided, in case of a contract with the bank of England.

"And forasmuch as the bank of England will derive a benefit from the sums of money which are by this act directed to be paid into the cash of the said bank, it is reasonable that they should, in some proportion, contribute to the public service; be it therefore enacted by the authority aforesaid, that the

directors of the said bank shall take upon them the remittance of all such sums of money as shall be remitted for the use of his majesty's forces by sea or land, serving in foreign parts, without any allowance or reward for the same; and that they shall conform to the directions which they shall receive from the paymaster-general, and treasurer of the navy, severally, for the sum or sums of money which shall be remitted and sent for the use of the forces serving abroad.

"And whereas much of the emolument accruing to the several pay offices, agencies in the army and navy, are derived from the pay of officers serving in the army and navy; for the better encouragement of the said services, be it enacted by the authority aforesaid, that upon any future appointment of any person to the office of a deputy-paymaster, or army-agent, no person but such as have served his majesty, in his army or navy for years, shall be capable of being appointed to or holding the said offices, or any of them; and the appointment of any other person to the said office or offices shall be void, and the said person so appointed shall forfeit the sum of to be recovered by action of debt, bill, plaint or information, in any of his majesty's courts of record at Westminster, in which no essoign, protection, privilege, or wager of law, or more than one imparlance, shall be allowed.

"And whereas the command and direction of the ordnance is properly a military concern, and the establishment of the present board of ordnance is attended with great expence to the public; be it enacted by the authority aforesaid, that from and after the day of the civil branch, or what is commonly reputed and taken for the said civil branch of the said ordnance (that is to say) the master-general, lieutenant-general, surveyor-general, clerk of the ordnance, clerk of the deliveries, treasurer, paymaster, secretary, architect, council, and all other officers on the same dependent, except the necessary inferior store-keepers, and clerks of the cheque, in the land-ordnance service, shall be, and are hereby suppressed.

"And it is hereby enacted by the authority aforesaid, that for all purposes of the land-service, the principal engineer (which said principal engineer shall hereafter be a general officer in his majesty's service) shall be and is by this act authorized to exercise all the duty or duties which the said civil branch, or any part thereof, ought to execute; and to enable the said principal engineer the better to perform the said duty, his

majesty is hereby authorized to appoint one assistant engineer, with a salary of and no more, provided that the said assistant be an officer of years'-service in the artillery, and no other shall be capable of holding the said office.

"And it is hereby enacted, that the said assistant engineer, nor any other engineer, nor any other person or persons above the present establishment of officers of the artillery, shall be capable of being elected, or sitting and voting in parliament.

"And it is hereby further enacted by the authority aforesaid, that the ordnance for the navy shall be, from and after the day of under the care and direction of the commissioners of the navy, who, for the better administration of the same, shall have one commissioner, and no more, added to the number, with a salary not exceeding the salary of the other commissioners, and with the like powers; which said commissioner shall be a person skilful in the business of an artillery officer and engineer, and, where a person so skilled may be had, preference shall be given to officers who have served years in his majesty's navy.

"And in order to prevent the unnecessary multiplication of offices, be it enacted by the authority aforesaid, that the office of keeper of the naval ordnance stores be united to and consolidated with the office of keeper of naval stores, in each of his majesty's dock-yards respectively, and shall be exercised by one and the same person.

"And be it further enacted by the authority aforesaid, that on a vacancy of any storekeeper or clerk of the cheque, in any of his majesty's yards, no person shall be capable of being appointed thereto who has not served his majesty in his navy, as a lieutenant or master, for years; and if any other than a person or persons qualified as aforesaid shall be appointed to the said offices, or any of them, he shall forfeit his said employment, and the sum of to be recovered by action of debt, bill, plaint, or information, in any of his majesty's courts of record at Westminster, in which no essoign, protection, privilege, or wager of law, or more than one imparlance, shall be allowed.

"And it is hereby enacted by the authority aforesaid, that the said chief engineer, and his assistant, as well as the said commissioners of the navy, may and shall contract, wherever the same is practicable from the nature of the service, for the execution of all works, buildings, and stores to the ordnance be-

longing; and that all contractors with the said officers shall be under the inspection and controul of the said chief engineer, or the said commissioners of the navy, as the case shall be, for and in the execution of their contracts, and every part thereof: provided that no contract, exceeding in value, be made without the previous approbation of the commander in chief of his majesty's forces, or other general officer appointed by his majesty, and the lords commissioners of the treasury, if the same be for the land service; and the commissioners of the navy, and lords of the admiralty, and the said commissioners of the treasury, if the same be for the sea-service.

"And it is hereby enacted by the authority aforesaid, that the money payable on account of the said contracts shall be paid at the exchequer; and that all other payments to the said ordnance belonging, be made at the pay-office, or the navy-office, as the service shall be military or naval, according to the course and manner that shall be hereafter used by virtue of this act in the said offices.

"And it is hereby enacted, that the estimate and accounts of the ordnance be annually laid before parliament, as hitherto accustomed, except that the ordnance and stores for land and sea-service be distinguished.

"Provided, that nothing in this act contained shall be construed to exempt the chief engineer from the orders of the commander-in-chief or secretary at war, for the time being, or the navy-board, from the orders of the admiralty, in all matters which regard ordnance stores, or any kind of military stores; but they shall be in all things bound to obey and conform to the orders and directions which they shall from time to time receive from the said superior officers.

"And be it hereby enacted, in order to the more perfect regulation of the said ordnance, that in days after the passing of this act, a commission be appointed by his majesty, which shall consist of the first commissioner of the treasury, the first commissioner of the admiralty, one commissioner of the navy, the secretary at war, the paymaster of his majesty's forces, the treasurer of the navy, the commander-in-chief of his majesty's forces; the chief engineer, and the following general officers and admirals; *videlicet*,

which said commissioners, or any of them, may and are hereby directed to regulate all things relative to the said

ordnance, so as to bring the same to a more perfect conformity and accommodation to military purposes; and as much as may be, in all branches thereof, to employ military persons; and to reduce the expences of the same, by uniting of duties, where the same may be united, and separating the same, where the same may and ought to be separated, and reducing the number of unnecessary officers, clerks, and other persons, according to their discretion, and the true intent and meaning of this act.

"And it is hereby enacted by the authority aforesaid, that all the salaries, lawful fees, perquisites, and profits whatsover, belonging to all and every the offices by this act suppressed, shall cease and determine with the determination of the said offices severally, and be no longer paid; and that the commissioners of the treasury shall, within make, or cause to be made up, an account of the salaries and fees now payable for or on account of the said offices severally, as also an account of all the charges whatsoever, ordinary or extraordinary, incurred for or by reason of the said offices, during years last past; and shall cause a sum, to the amount of a medium of the said salaries, fees, and charges, to be annually set apart, and a separate account to be kept of the same, and to carry the said sum or sums of money, together with the amount of each and every pension as it shall fall or determine, until the said pension-list be reduced to (except as in this act is otherwise provided) to the sinking-fund, there to remain for the disposition of parliament.

"And be it further enacted by the authority aforesaid, that it shall not be lawful to create any office, in the nature or for the purpose of those which are by this act abolished, or to divide any office into several parts, to be held by divers persons, other than such as have been usually held in commission, or to create any new office whatever, or any additional commissioner, with a salary exceeding pounds by the year.

"And, in order to prevent the reformation by this act proposed from affecting private persons, whose whole livelihood, or the greater part thereof, consists in the profits of places by this act suppressed; be it enacted by the authority aforesaid, that it shall be lawful for the following persons; *videlicet*, or any or more of them, to be commissioners for receiving and hearing the representations of any persons affected by

this act in the manner above mentioned; and on what shall appear to them sufficient proof of the said person or persons having no other livelihood, or no other employment of profit or pension, or upon proof of other circumstances of compassion, they shall have power to adjudge, according to equity and the reason of the case, and to allow half pay, or more, at their discretion, to such person or persons, until the officer by this act displaced shall be otherwise provided for in his majesty's service; and a certificate, signed by not less than of the said commissioners, shall be and is hereby declared of sufficient authority for the commissioners of the treasury to make the said allowances for such persons: provided, that the said allowance do in no case exceed *per annum*; and that no peer, or member of parliament, shall be entitled to the said relief.

"And it is hereby enacted by the authority aforesaid, that all the clerks in office, by this act displaced, and who shall be duly qualified to be employed as clerks in other public offices, or as officers in the customs, shall be entitled to the succession of any vacant clerkship in other offices, or to offices in the customs, not exceeding *per annum* in value (where any rule or practice of succession within the said offices doth not interfere) upon application made by memorial to the said offices, the allowance aforesaid being to cease on such appointment.

"And it is hereby enacted by the authority aforesaid, that in case, after months' time given for due enquiry, and proof of their qualifications, the memorialist or memorialists aforesaid are not put into possession of the said vacant offices, the person to whom it belongs to fill the said vacancy shall forfeit the sum of for each such offence, to be recovered by action of debt, bill, plaint, or information, in any of his majesty's courts of record at Westminster, in which no essoign, protection, privilege, or wager of law, or more than one imparlance, shall be allowed."

The bill being read a first time, Mr. Burke mentioned the 29th instant, as a proper day for reading it a second time, and begged Lord North to inform the House, whether or not he intended to oppose it on that day. Lord North said, he did not yet know, whether he should oppose it or not. It was a bill of the utmost importance, and required time and leisure to determine on its propriety. The 29th, therefore, he thought too early a day.

Mr. BURKE observed, that at a moment when the minds of men were held in suspense, and when the nation was looking with anxiety and suspicion to the conduct of parliament, on the subject of their petitions, delay would be exceedingly dangerous, and ought to be studiously avoided. He did not wish to quarrel with the noble lord for a day. The bill would be printed, and in the hands of the members before that time; and if it was agreeable to the House, he would move for Wednesday next.

Lord North still persisted that the time was rather too short, and wished that it should be adjourned over the next week. Mr. Fox said, he could not conceive why the noble lord should wish to have so much time. The temper of the people was not such as would admit of subterfuge. There was something exceedingly suspicious in the noble lord's conduct. His plea of ignorance was absurd; he had not indeed studied all the parts of the bill; it was not possible that he could have so done; but the general principle was well known to him, and the subsequent detail was the business of the committee. Did not the noble lord know whether or not he was to oppose the principle of the bill, or when he was to oppose it? He thought it would be becoming in the noble lord to declare his intentions; for he firmly believed that no member who could possibly attend would be absent on the day when the bill was to be debated. The member who wilfully or negligently absented himself on that day would pay little regard to his duty, and to the general voice of the people of England. If the noble lord would speak out, and say whether or not, or when, he intended to debate the bill, members would come prepared, and the point would be fought with fairness. But as it was, the House must be upon its guard, and that they might not be taken by surprise, they must come prepared for the onset on the first day. The noble lord had also given very strong reasons for alarm in his wish to put off the business to a late day. What security could the people of England have of the proposed system being adopted, if the House permitted all the supplies to be granted before the bill had passed? The parliament might not be dissolved, but it was very possible that it might be prorogued before the business was concluded; and he looked upon this to be the reason why the minister wished to postpone it.

Mr. BURKE said, that the principle of the bill was simple, and required but little time for deliberation. It consisted but of two parts, the first was, to curtail a variety of useless and burthensome offices in the king's civil list, and other departments of government, in order to apply the savings to the constitutional services of the state; and the second, to provide against the revenues voted for the maintenance of the king, the provision of his family, and the ease, dignity, and independence of his life, being diverted to the uses of a minister, and applied to the corrupting of parliament. These were the simple principles, easy to be understood; but whether the regulations proposed for the attainment of these ends were the properest for that purpose, were considerations for the committee. He had other matters which he might propose to their consideration. Perhaps a better method might be suggested of furnishing the king's table, &c. by contract; but all these could not prevent the noble lord from deciding in his own mind whether or not the principle of the bill ought to be opposed.

The bill was ordered to be read a second time on the 2d of March.

March 8.

ON the order of the day being read for going into a committee on Mr. Burke's bill, Mr. Rigby rose and started an unexpected question, upon the incompetency of the House to enter into any discussion whatever relative to the king's civil list revenue or establishment. The right honourable gentleman, who had hitherto spoken rather ambiguously with regard to Mr. Burke's plan of reform, after expressing now his highest approbation of some parts of it, condemned, in terms equally explicit, those which reached in any degree to the civil list; as well as the interference of parliament at all in that expenditure. He said, that for his own part, he had ever considered, and ever should, that the civil-list revenue was as much and as fully his majesty's as any determinable estate, enjoyed by any person

present, was his immediate property. That revenue had been settled on his majesty, at his accession, for life; which was an interest no power on earth could deprive him of without manifest injustice; consequently, that part of the bill, which went to the controul of the civil list, and to an appropriation of the supposed savings to arise from the reform, was an attempt no less contrary to precedent than to justice. It would not only, in its consequences, degrade the sovereign, but it would reduce him to the state of a precarious pensioner; whose uncertain stipend, lessened at will, would be at all times liable to still further reduction. And to what purpose was this violence and injustice to be offered? — to lessen the supposed influence of the crown. He had heard a great deal of the influence of the crown; but he believed that influence was never less known or felt than during the present reign; and this he could speak from experience. He declared, that he had neither consulted the noble minister, nor any other person within or without the House upon the subject. It was his own opinion, and he was determined to avow it, without any expectation or wish of support, further than what it might be entitled to on its own intrinsic merit. He was apprehensive that he was rather disorderly, as the order of the day for going into a committee stood in the way; but it was a subject on which he wished to take the sense of the House.

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Mr. Burke begged that the question might be determined upon, before the House went into a committee upon the bill. The present doctrine, should it be adopted, went equally to the defeating every part of the bill, as well as those provisions which the noble lord in the blue ribbon had avowed his public disapprobation of. If that were all — if only the fate of the bill were determined, by agreeing to the right honourable gentleman's proposition, it would give him but very little uneasiness; but it was a principle, which, in his opinion, went to overthrow the constitution, and annihilate the essential rights and privileges of parliament. The resolving, however, that that House was incompetent to enquire or controul the expenditure of the civil-list revenue, would not, though it might be intended to effect it, destroy the liberties of Britain.

Debate, it was true, would be at an end, because it could answer no useful purpose. The duties of those who had struggled for a long series of years against every disadvantage, that it was possible to conceive, against large majorities, public obloquy, repeated defeat, and daily mortifications, would cease; their unavailing opposition would be terminated. The people must do what parliament had refused, or rather what they were resolved not to do, or had declared themselves incompetent to effect; but he trusted, that health would follow. A fever purged off and purified the blood, gave it a more happy circulation, and renovated or corrected a weak or disordered constitution. A fracture properly healed, acquired strength, superior to any other part of the bone. The crown held no public right, or public property, but as a trust for, and under the people. It could gain or lose nothing in truth; because it enjoyed all it possessed, as a favour, and for the attainment of certain defined or implied purposes, which purposes were understood to be good government and the well-being of the state. The prerogatives of the crown, the highest and most transcendent part of its power, were created and ought of course to be exercised for the benefit of the people who created and conferred them. It was therefore to the last degree absurd to draw a line, or separate the private rights of an individual, or any description of man, as held for any other end but for the good of the whole community; every right his majesty enjoyed, as sovereign, was a delegated right, and consequently subject to examination, correction, and controul. It was particularly of the very essence of that House, to enquire, to regulate, and controul; and whenever it waived, concealed, or suspended that right, when an occasion offered, then most clearly every object of their meeting and deliberating was at an end; from the representatives of the people, they were no longer the servants of the public, who had sent them there; but the corrupt or servile tools of those, who paid and rewarded them, for their treachery or neglect of duty.

Mr. Fox, Mr. Townsend, General Conway, Mr. Dunning, and other distinguished members of opposition, supported nearly the same ground. The question now before the House was, whether, according to the order of the day, it should be resolved into a committee on Mr. Burke's bill, or whether they should first enter into a discussion of, and decide upon, Mr. Rigby's proposition? The question being put about nine o'clock, the resolution for the order of the day was carried, by a majority of six only, the numbers being 205, to 199.

Clause for abolishing the office of Third Secretary of State.

The House then resolved itself into a committee on the bill. When the chairman came to the words in the first clause, for abolishing "the office commonly called, or known by the name of third secretary of state, or secretary of state for the colonies," Governor Pownall suggested an amendment; observing, that the words were not sufficiently descriptive, for the description should be simply that of third secretary of state. Mr. Burke said he had no objection to omit the words pointed out by the honourable gentleman. He had adopted both descriptions, lest one or the other singly might appear untechnical, or not descriptive of the office proposed to be abolished. Lord George Germain observed, that the clause as first worded, was not descriptive of the office which he had the honour to fill, for it was neither that of third secretary of state, nor secretary of state for the colonies; but "one of his majesty's principal secretaries of state." He wished most sincerely, if the committee should determine to abolish any one of the three offices, that it might be the one he had the honour to fill. The clause being amended agreeably to this idea, a warm debate ensued. The clause was opposed by Lord Beauchamp, Mr. Jenkinson, Mr. Dundas, and Lord George Germain; and supported by Mr. Thomas Townshend, Mr. Burke, and Mr. Fox.

Mr. Burke, in answer to what had been said concerning the injustice of punishing the abuse of the expenditure of the civil list without proof, took a distinction between the judicial and legislative capacity of parliament. In the former, they were without doubt to proceed in all cases upon legal evidence. In the latter, they had a right, and it was their duty, to make whatever regulations they judged

necessary for the preservation of the constitution. He reprobated, in the strongest terms, the doctrine, that there was no difference between the king's property in the civil list and private property. The king was only a trustee for the public. Property and subjects existed before kings were elected, and endowed with a portion of the former for the protection of the latter. And shall the servant, (said Mr. Burke,) the creature of the people, be represented by treasonable subjects, by false and pretended friends, as claiming an inherent, self-created, original, and divine right in the voluntary grants of that people for whose good he received it, and for whose good it may be resumed? This is the very quintessence of jacobitism. It is not toryism, but jacobitism. Tories lean, indeed, towards monarchy; but still they profess that the monarchy to which they lean is a monarchy limited within certain bounds by the law, and controulable by the constitution. Jacobitism elevates kings into the rank of gods, and contends, that the people were made for them, not they for the people. But it is doing jacobitism injustice; that jacobitism, at lease, the remains of which we have seen in this country; to compare it with the doctrines which we have heard this day; for there is something generous in a steady attachment to the persons of a royal family in distress, and the compassion of the heart makes amends for the errors of the judgment. But in the present times, in this enlightened age, in this country, and on this occasion, to avow such theories of despotism is something worse than jacobitism. It is jacobitism sublimated and refined into a detested system of the most humiliating slavery.

Mr. Burke said, he did not agree with a noble lord, that work is always performed with greater expedition by many servants than by few; for one trusts to another; he devolves the labour on the shoulders of his fellow-servants, and finds means of eluding censure for not doing his duty. A groom becomes the favourite of his sporting master: he gets an assistant for his conveniency; the assistant becomes the groom, and he himself is straightway advanced

into the sinecure place of master of the horse. The new groom gets Tom to clean the stable; Tom grows very handy, and then there is no doing without Tom. I wonder, says every body, how he could do so long without Tom! The thing happens, Sir, in higher departments; even in the highest office of state, there are useless supernumeraries. Sir, I must here call the late Earl of Suffolk from the dead; though I am convinced that "even if one should rise from the dead" there are some who would not, on this subject, believe his testimony. Lord Suffolk was a man of honour; he would not have sat a year in his bed-chamber resting his legs, afflicted with the gout, on his green box containing the papers of his office, and at the same time have held the place of secretary of state, if he had not been convinced in his conscience, that the business of the state would be very well managed without his assistance. Nay, after he was dead, his office remained with him. The third secretaryship is already extinct; it was deposited with the corpse of Lord Suffolk, in a superb cemetery. Its funeral obsequies were performed on the occasion; it was laid aside with that pomp which became it; ensigns, escutcheons, flambeaux, &c. A successor, after an interval of a year, was indeed appointed to him. But, if you ask the reason, no other can be given than the Irishman's — the other two secretaries were doing nothing, and a third was appointed to help them.

It had been urged with great seeming weight, and affected plausibility, that the office proposed to be abolished by the present bill would be productive but of a very trifling saving, a few thousand pounds. Granted: but every plan must have a beginning, and every great plan must consist of several parts. If the whole of the bill was meant to consist but of this clause, the argument might have the appearance of an answer. Was that the case? He presumed not. It was but a single object, among many others, of great consequence. And he begged gentlemen would look to the aggregate, or sum total, and not to the items of which it was composed: but trifling as the sum might ap-

pear to the gentlemen on the other side of the House, it would pay a regiment of cavalry; if not, at least it would a regiment of infantry, which alone was an object of concern in our present state of national distress. But it was not even the expence, but the mischief that had arisen from the establishment of that office, which had thrown the empire into all the miseries of a civil war; which had lost us America, and brought us into a contest with our powerful and inveterate enemies — which last circumstance threatened us with ruin, almost inevitable. This office was established, or raised, for he cared not which, in the year 1768, on purpose to introduce a noble lord in the other House — the Earl of Hillsborough — into his majesty's councils. What was the consequence of that appointment? The very circumstances he had been alluding to. That noble lord, as the very first act of official power, wrote his famous circular letter to the several colonies, assuring them that no taxes would be laid upon them. He had endeavoured to deceive them. The noble lord in the blue ribbon, in five years after, introduced a bill into that House for taxing them, or a conciliatory proposition, as he called it, as the intended basis of a law for that purpose. The people of America saw by this, that they could have no reliance on ministerial promises, not even on the word of the king, whose name had been prostituted in so shameful a manner; even in one instance, so far as to assure the assembly of Virginia, that he no longer wished to govern them, than while he could preserve his word inviolate with them as to the promise he then made.

Mr. Burke then entered into a short view of the American war, and of the American secretaryship. He was extremely severe on the late appointment of Lord Carlisle, as he considered the office of first lord of trade merely as a sinecure place, which he called the idle labour, or laborious idleness of modern office; and concluded by observing, that besides the actual saving to the public, and the lessening the influence of the crown, the business transacted in the respective offices of secretary of state, united again,

as it had been formerly, would be better executed by fewer hands.

At a quarter before three o'clock in the morning, the committee divided, when the office of third secretary of state was preserved by a majority of seven only; the numbers being 201, in support of the clause of reform, to 208, by whom it was opposed. Such was the issue of one of the longest and hardest fought days, that perhaps ever was known in the House of Commons; nor was the labour greater than the ability, or the parliamentary skill and generalship displayed on both sides.

March 13.

Clause for abolishing the Board of Trade.

The House again resolved itself into a committee on Mr. Burke's Bill; Mr. Elwes in the chair. The clause for abolishing the board of trade being read, Mr. Eden rose, and stated his reasons in general against the clause. He began with observing, that though he should not object to particular parts of the clause, he meant, as soon as the clause was completed, by having the blanks filled up, to state to the committee some material facts, which, before they proceeded, it would be necessary that they should be informed of; for he flattered himself, that if those facts had been sufficiently known, the present clause would have never appeared in the bill. He gave this notice, lest the honourable gentleman who framed the bill should imagine he meant to take him unprepared to meet the solid objections, which, in his opinion, he had to offer; and he had every reason to expect that the honourable gentleman would either prove the allegations he intended to state in the course of his speech, or meet them with arguments sufficient to discredit what he had to urge in the opinion of the committee. It was, he said, a constitutional and parliamentary principle, that no clause in a bill should ever be suffered to pass a committee, unless upon a case previously made, and upon evidence sufficient to induce the House to dispense with its usual and customary mode of proceeding. To step out of its ordinary sphere, the House should have full

proofs of an abuse in the executive government, before it ventured to interfere or controul its administration. He observed, that this doctrine had been proved in a very able manner, by the author of a pamphlet intitled "Thoughts on the Cause of the present Discontents;" and the opinions stated in that pamphlet would, he trusted, have particular weight with the honourable gentleman, who was the author of the present bill. [The pamphlet was written by Mr. Burke.] On this clear ground he made no doubt but the honourable gentleman would acknowledge the propriety of adducing evidence in support of the clause. The honourable gentleman might have had—for he himself had offered him—written evidence from the most authentic documents of the board, from its first establishment to the present time, a period of 108 years. He informed the committee, that the records consisted of upwards of 2,300 volumes in folio, which he would be bold to say contained much important and interesting information. It was now, indeed, proposed to throw them into the flames, because the honourable gentleman, who knew nothing of their contents and declined to be informed of them, presumed that they were no more than monuments of unprofitable labour. The honourable gentleman had chosen, upon a recent occasion, to call his witnesses from the dead, [alluding to what Mr. Burke had said relative to the late Lord Suffolk, on the 8th instant]. It was a species of proof he could not now object to. If so, he might in those volumes have read the names of Locke, Addison, Prior, Lord Molesworth, the late Charles Townshend, and many others of the first rank and first-rate abilities, who at different times enjoyed seats at the board of trade. That respectable statesman and most excellent man, the late Earl of Suffolk, could not be summoned in this case, but the honourable gentleman might indulge his sportive imagination round the tombs of Locke and Addison. He might speak epigrams on their escutcheons; he might paint their last sicknesses, without bringing the painful recollection of a departed friend, or the agonies of grief from widows, mothers, or sisters; or disgust or uneasiness to the relations of the deceased. He regretted that he found himself under the necessity of recalling to the memory of the committee so disagreeable a subject; but as sensibility and good nature were the leading features of the honourable gentleman's character, he only referred to that

part of his speech, in order to remind him, that he could not bear to see them sacrificed to the wantonness of eloquence. He said, besides the documents he alluded to, he wished for living testimony; for plain sense and solid information, which might be had from a reputable friend of his, Mr. J. Pownall, —who had passed thirty years of his life at the board, and twenty-four in the capacity of secretary. That person had now no longer an interest in the board, and was known to be above being an advocate in any other cause but that of truth.

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Mr. BURKE said, he was not a little amazed at hearing himself charged with having sported with the feelings of either the widows, mothers, or sisters of the deceased. If any thing improper had been said in the wantonness of eloquence, as the honourable gentleman had called it, it ought to be corrected in the coolness of recollection. In talking of the late Lord Suffolk, he had neither intended to insult his memory, nor afflict his family. God forbid he should have done either the one or the other! He had declared the late Lord Suffolk to be a man of honour, and had directed his ridicule at his office, not at his person. When he came to that part of his argument which called for some notice of the inutility of there being more than two secretaries of state, he had been naturally induced to instance the remarkable facts of the late Lord Suffolk's being incapable to discharge the duties of his office for a long time before he died, and of the office remaining vacant for near twelve months after the earl's decease; thence he had been induced to call it the widowed secretaryship, and the barren office: an office first made an infirmary, and then converted into a grand cemetery, in which the bones of a secretary had lain in state and in grand funeral pomp, as in a kind of Jerusalem chamber, with a hatchment over the door, and escutcheons and lights round the corpse for a whole twelvemonth together. But surely there could not be one man simple enough to conceive, that when he used this strong figure, he meant to be understood literally, or designed to insinuate that

the corpse of the late Lord Suffolk did actually and *bonâ fide* remain in the office for a twelvemonth after that nobleman's death! No such thing was in his intention—not but if the matter had seriously been, as he had ludicrously stated it, he did not think but that the office would have been made as good use of, as any it had been put to for the time mentioned.

He thanked the honourable gentleman for his historical account of the origin and utility of the board of trade; he was ready to accept that, but not his 2,300 volumes, which he begged to be excused from taking—he would not look into one of them. They would serve, however, as a monument, under which both he and his clause might be buried, and form a funeral pile for them as large as one of the pyramids of Egypt. Alas, poor clause! (exclaimed Mr. Burke,) if it be thy fate to be put to death, thou shalt be gloriously entombed; thou shalt lie under a splendid mausoleum! The corners of thy cenotaph shall be supported by Locke, by Addison, by Prior, and by Molesworth!

After having indulged himself for some time, in a succession of images full of wit and abounding in ridicule, in which the dull, senseless, sluggish contents of 2,300 volumes in folio, large enough to fill the room he was now speaking in, were contrasted with the transcendent talents, solid knowledge, and exalted characters of those great and wise men who were called in as witnesses, to stamp authority upon folly, to give currency to dulness, and induce the committee to believe that what was laborious was useful; he grew more serious, and said, as a board of trade he detested that which his clause tended to abolish, because he regarded it as useless, idle, and expensive; considered as an academy of belles lettres, into which it was now converted, he was willing to bow his head in reverence to the great and shining talents of its several members. Every department of literature, the solid and the entertaining, the instructive and the amusing, had its separate professor. The public exercises of the academy

did it honour, and rendered it an object of public admiration and public applause. The historian's labours, the wise and salutary result of deep religious researches, [Gibbon's * Decline and Fall of the Roman Empire,] the essence of epistolatory correspondence, [Mr. Eden's Letters, addressed to Lord Carlisle, and his Observations on the Criminal Law,] and the great fund of political and legal knowledge, displayed most unanswerably the high abilities of four of its members, and entitled them to every mark of respect; whilst the poetical accomplishments of a fifth (Lord Carlisle), which in an age of poetry would have given him a rank among the best of our minor poets, in this age, which was of a more serious form, made him deservedly regarded as a great poet. To the professors themselves he owed all possible deference, and from that deference it was that he wished to rescue them from the ignominy of being degraded to a board of trade. As an academy of belles lettres, he should hold them hallowed; as a board of trade he wished to abolish them.

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* "Among the honourable connections which I had formed, I may justly be proud of the friendship of Mr. Wedderburn, at that time attorney-general, who now illustrates the title of Lord Loughborough, and the office of chief justice of the Common Pleas. By his strong recommendation, and the favourable disposition of Lord North, I was appointed one of the lords commissioners of trade and plantations; and my private income was enlarged by a clear addition of between seven and eight hundred pounds a-year. The fancy of an hostile orator may paint, in the strong colours of ridicule, the 'perpetual virtual adjournment, and the unbroken vacation of the board of trade.' But it must be allowed that our duty was not intolerably severe, and that I enjoyed many days and weeks of repose without being called away from my library to the office. * * * * I can never forget the delight with which that diffusive and ingenious orator, Mr. Burke, was heard by all sides of the House, and even by those whose existence he proscribed. The lords of trade blushed at their insignificancy, and Mr. Eden's appeal to the 2,300 volumes of our reports, seemed only to excite a general laugh. I take this opportunity of certifying the correctness of Mr. Burke's printed speeches, which I have heard and read." Gibbon's Miscellaneous Works, vol. i. p. 156.

There was another honourable gentleman who sat at the board, and had long sat there, (Mr. Soame Jenyns,) who was no less admired for his talents than high integrity. That gentleman, among other performances deservedly esteemed, had written on the Origin of Evil. He could not say that it was the board at which he sat which suggested the title of his book, but surely he might well say, that the honourable gentleman's long experience might have led him to know that the board of trade was one great political evil, as it was attended with considerable expence, and was continued to increase the undue and unconstitutional influence of the crown in that House — one of the greatest political evils, or indeed the aggregate of them all. They reminded him of a book, which, although it was of a much humbler class than any they had themselves produced, unless indeed 2,300 volumes were to be esteemed the effect of their labours, and against the dulness of which, he might, he trusted, be allowed to quote one little book, and that was Quarles's Emblems! — a book that afforded scope for the faculties to display themselves to a certain extent, and which at least possessed the merit of having some very pretty pictures in it. In Quarles's Emblems he remembered to have seen a picture representing a man enclosed in a large human skeleton, designed as an emblem of death, and the man crying out, "Oh! how shall I get out of this strong death?" In this very situation he considered the great writers who now sat at the board of trade; they were immured in a skeleton, which was death to the freedom of their genius, and the strong ribs of which barred them from all opportunity of taking those soaring flights they were otherwise capable of. He meant to destroy the skeleton of death, and to give them liberty. He afterwards ran into another allegory, and said, he could not but view the board of trade as a crow's nest, in which nightingales were kept prisoners; he designed to take down the nest, and restore the nightingales to their freedom, that they might sing more delightfully.

The incomes of the commissioners, he declared, were too great for their good. Francis the First had been complained of, because he founded what he called his Parnassus, and endowed it most amply; in consequence of which, it was said, authors were too rich to write, and the reverse of the intention of the institution was the effect of it; literature declined, in proportion as the incomes of those capable of writing became liberal; this evil he meant to avoid, by lopping off the board of trade in time. He took occasion to pay an elegant compliment to Mr. Locke, Mr. Addison, and Mr. Prior; but much as he admired the productions of those eminent writers, he said he could not undertake to study the 2,300 volumes, nor consider them as any part of the productions of the great authors alluded to. He revered literature, but he did not wish to be overwhelmed with it. A great book was to him a great evil, Μεγα βιβλον, μεγα κακον! The small volume of common sense, the ideas already traced out, and registered in the volume of his brain, were sufficient to guide such a weak and insignificant individual as he was. He would not even look into the 2,300 volumes, and as to the great dead authorities the honourable gentleman had cited, as having sat at the board, there was not a sinecure, nor an inefficient employment, the continuance of which he could not support, if quoting the name of some great and respectable living or dead character who had at one time or another held either, was admitted as a sufficient argument for its being continued.

With regard to the offer the honourable gentleman had made of the oral testimony of Mr. John Pownall, he begged to decline profiting by it; he would neither act so uncandidly nor so cruelly, as to call on a man who had made a fortune by his continuance in an office for thirty years together, for the purposes of asking that man, whether he thought the office he had made his fortune by, of utility or not. He knew Mr. Pownall to be an able, intelligent, honest man, of remarkable probity; but when he was investigating truth, he would not seek the opinions of any man,

who from his habit of life was presumed to be prejudiced. He would as soon appeal to the opinions of a veteran officer, whether standing armies were necessary in time of peace, as apply to his worthy friend, Mr. Pownall, for his opinion, whether the best part of his life was spent in the discharge of an useless office.

The committee next proceeded to fill up the blanks in the proposed clause, after which Mr. Eden opposed it in a speech of considerable length.

Mr. BURKE again rose. He said he should not travel through the 2,300 volumes, but he begged leave to say a few words in answer to every thing material, which had been offered against the clause, by the honourable gentleman. The honourable gentleman had attempted to shew, in the first place, that a commission, on the model of the present board, had been established in 1672, after the one now proposed had continued for upwards of twelve years. It was very true; but he presumed the honourable gentleman was not aware that this fact made against instead of for him, for in two years after, that commission was vacated, and the business at that board vested in some of the greatest names that ever adorned the political history of this country. He said, without disparagement, he hoped, to the Earl of Carlisle, who was now the first commissioner, Anthony Ashley Cooper, Earl of Shaftesbury, might at least as a sound politician, whatever his other qualities were, be put in competition. He then enumerated the several other great names, who stood in that commission, such as Lords Clifford, Arlington, Savile, afterwards Marquis of Halifax, Duke of Buckingham, Lord Sunderland, Lord Danby, afterwards Duke of Leeds, Lord Essex, Mr. Godolphin, Sir William Temple, &c. He then mentioned several other succeeding commissions; and hoped, that in point of great authorities, and high and respectable names, he might at least vie with the honourable gentleman. He would observe, however, that the whole system

of our trade laws, the establishment of our colony governments, the granting of charters, &c. had been effected during those commissions, which the honourable gentleman had represented as inadequate to the task, and so great, glorious, and wise a system of laws and regulations, he believed, had never been devised or carried into execution in this or any other country, since the beginning of the world to that day. In fine, every thing which had laid the foundation of the extensive commerce, which we till very lately enjoyed; every thing which rendered the possession of the vast and extensive wilds of America beneficial to us; which peopled the desarts of that country, which cultivated the wastes, and filled the rivers and ports with ships; were planned while the commission continued, which was now represented as useless, because those who acted in it were not paid for their trouble. Here was a period of six-and-thirty years, the most glorious in point of commerce and colonization it ever experienced — two years only intervening; and this was the period the honourable gentleman had fixed upon, to shew that nothing had been done, because those who acted in the commission had no salaries, and very confidently asserted that the board as now constituted was established merely to provide against the neglects and sufferings of the mercantile interests. The honourable gentleman had called for proof; nothing short of written or parole evidence would satisfy him; surely, then, it was incumbent on him to give some better proof than mere assertion, that the trade and commerce of this country had been neglected, when the evidence of past experience was in such strong contradiction to what he had advanced.

After answering the former speaker with uncommon ability and strength of argument on these points, Mr. Burke observed, that whatever advantage might have been derived from the board in its early establishment soon after the Revolution, so long as it retained any portion of the original constitution, it had been gradually decreasing ever since, till it had at length dwindled into a mere useless sinecure office; so much so, that the little business which was

transacted there, had been long since transferred to the office of secretary of state; and if any better proof were wanting, nothing could be stronger than that in the course of all our disputes with America, not so much as a single scrap of paper had been laid by that board before parliament, respecting the state, condition, or temper of the colonies. The only pretence to any attention shewn by that useless board to the trade and commerce of this country, was in the single instance respecting the African trade a few years since; and such a report as was then made by that board, so much gross ignorance and partiality as were exhibited, he believed, was never before known upon a similar occasion.

But supposing the fact to be true, that it was the business of the board of trade to attend to the various matters which had been alluded to, was it not a fair question to ask, if they had done it? And was it not incumbent on the honourable gentleman to appeal to those proofs of their attention and industry, in the discharge of those duties which he was so ingenious as to find out? He expected from the honourable gentleman, when he informed the committee of the 2,300 volumes, that he would have at least referred to, or acquainted the committee with some of their voluminous contents. Had not the honourable gentleman time to extract out of his vast mass of information, some of the late answers and reports to both Houses of parliament; some of the reports to the king in council, or immediately addressed to his majesty himself; some of the correspondence carried on with the treasury and admiralty boards, with the secretaries of state, and the great trading and commercial companies? No; not a syllable! The honourable gentleman referred his friends and adversaries alike, for he made no distinction, to his 2,300 huge and massy volumes. He put them off to Doomsday, and pointed out sources of information to them, by which they could only profit in the other world. In respect of the foreign transactions of this celebrated board, this hospital for the maintenance of veteran authors, not upon half but full pay—he

sent the ignorant and curious to the same 2,300 volumes. He had declined to quote a single line of correspondence held with foreign consuls, with governors; or a single application or instruction, conveyed to our ambassadors, through the medium of either of the secretaries of state. But what of that? He guided with friendly hand the anxious enquirer to his 2,300 volumes.

The honourable gentleman, he observed, was fond of quotation, and that kind of quotation which best tells against an adversary, namely, the antagonist's own words, either remembered or collected from his writings. [Alluding to Mr. Eden's quotation from the "Thoughts on the public Discontents."] This was what the logicians called *argumentum ad hominem*, and so far as it went was unanswerable; and here it went very far indeed. Because it was the opinion of the only person who would venture, or he presumed was hardy enough to defend this wretched board, the phantom of a long departed inefficient office: The authority he would quote was of the first class, the author well known, his works greatly admired: he had written on the criminal law, and by a fertile imagination, bright imagery, and consummate judgment had so enlightened his subject, that a study in itself irksome, crabbed, and disgusting, was rendered rather an amusement than attended with that severity of thought, and intense application requisite to unfold the labyrinths, which our more ancient law sages have led the young beginner into. He had lately opened an epistolary correspondence [Mr. Eden's Letters from Tunbridge and Greenwich addressed to Lord Carlisle] with a young nobleman, no less admired for his poetical productions, than his deep researches into the vast science of political knowledge: and which had done more within a very narrow compass, than some of the greatest writers had been able to comprize in many volumes, nay, for aught that appeared, more than the board of trade had transacted in the course of a century, or than was contained in the 2,300 volumes. Whether it was the war, American independency, giving Ireland a free

trade; whether it was in laying on taxes, paying off the national debt, incurring new burthens, or making discoveries of national resource; all was contained in this delectable and pithy little treatise, or political manual. What did this great and respectable author say in his first epistle from Greenwich or Tunbridge? He desires his noble friend to look upon him as a person totally secluded from the political world; as a mere idle unemployed speculatist, ignorant of every thing passing beyond the pleasurable circle in which he then moved, (for he hoped the honourable letter-writer was not driven to Tunbridge Wells in order to repair a broken constitution,) sincerely declaring, that he had no information of what was going on, more than what he procured through the channel of the daily prints. If this great author, this high and respectable authority, happened to be one of the commissioners, and one of the most active commissioners at that board, he would submit it to the committee, if such a declaration did not deserve more credit, and of course went more directly to prove the total inutility of the board, than the whole contents of twice or thrice 2,300 volumes. The honourable gentleman would, he made no doubt, readily bow to the great authority he had now quoted, and would think with him, that the honourable commissioner would have hardly attempted to mislead his noble friend, for whose instruction he had taken up his pen, and through his lordship likewise proposed to instruct the public at large.

After touching this with a mixture of ironical pleasantry, Mr. Burke proceeded to argue the question at large, during which in a very able manner he endeavoured to shew, that the office of the board was useless; that Mr. Grenville, and almost every other minister for the last forty years, had complained of it, as attended with a heavy expence, and as being totally unnecessary, and that Mr. Charles Townshend, from his experience while at the board, had often held it up as an object of ridicule.

He concluded with observing, that the honourable gentleman, conscious that he was unable to make any im-

pression on the understanding of the House, had endeavoured to excite its commisseration, by representing the effect of the present clause, as directed to deprive the clerks who had spent the greater part of their lives in it, of their bread; and thereby throwing them upon the world advanced in years, and in a state of indigence, to starve. He would not willingly pay so ill a compliment to his honourable friend, as to suppose, that he had never read the clause; yet, he must necessarily do so; because he would much sooner impute this gross mistake or misrepresentation to negligence than design. He begged, therefore, that the honourable gentleman would take the trouble to re-peruse the clause, and there he would find, that the salaries were to be continued to the several clerks belonging to the board, till otherwise provided for.

After a long debate, the committee, at a quarter past two in the morning, divided; when the numbers were, for abolishing the board of trade, 207. Against it, 199. Majority for abolishing the board of trade 8. The House went again into a committee on the bill, upon the 20th. The clause of the bill being read for appointing the business done by the board of trade, to be executed in future by a committee of the privy council, Earl Nugent entered into an elaborate opposition to it.

Mr. BURKE strongly urged the necessity of the clause. In the year 1680, he said, the whole business of the board was done by a committee of the privy council, a committee of the greatest men in the kingdom. There were Prince Rupert, Lord Shaftesbury, Lord President of the Council, Lord Anglesea, Lord Privy Seal, Earl of Arlington, Lord Chamberlain, Earl of Essex, First Lord of the Treasury, Savile Earl of Halifax, Earl of Sunderland, Mr. Godolphin, Hyde Earl of Clarendon, Mr. Heneage Finch, Mr. Seymour, and Lord Chief Justice North. Mr. Burke expatiated on the respective talents of the several persons named, and said he was sure his present majesty could find very able men to transact the same business in the privy council, if he thought fit to look forward to them. There

were the Earl of Shelburne, the Marquis of Rockingham, Lord Camden, Mr. Thomas Townshend, and Colonel Barré, willing to serve their country in that way without any pecuniary situation. To prove that a committee of the privy council were competent to the business, he instanced a case respecting Jamaica, when Lord Carlisle was governor of that island, and the government and trade of it was most admirably settled in that committee. As to defraying the expence of it, he asked how the expence of the privy council was at present defrayed? The king paid it out of his civil list, and the same might be done in the present case, if there should be any expence attending it. But he thought it might be done now as heretofore. In 1681, the two secretaries of state, Mr. Secretary Coventry, and Sir Lionel Jenkins, acted as secretaries in the business; and he thought those persons as able officers as any we had at present. With such a committee of the privy council more might be done than with those who lately had the regulation of the board of trade, as there could be no comparison between Prince Rupert and Lord George Germain, or Lord Shaftesbury and Mr. Bamber Gascoyne.

Lord North said, there was certainly no occasion to debate the matter, for as the board of trade had been abolished, the business of it must, of course, be transferred to a committee of the privy council.

March 20.

Clause for abolishing the offices of Treasurer of the Chamber and others.

This day Mr. Burke proceeded with his bill, and came to the fifth clause, that relative to the treasurer of the chamber, treasurer of the household, cofferer, &c. He said he proposed putting each office into a separate clause, and therefore, after moving that the word "offices" be changed to "office," which was agreed to, he moved that the words "be abolished" stand

after the words "treasurer of the chamber." The next clause, enacting that his majesty's household should be served by contract, he said, he proposed to omit. Sir Edward Dering, Sir John Wrottesley, Governor Pownall, and Mr. Ellis, spoke against the abolishing the office of treasurer of the chamber; not, they said, from any regard to the office, but from a strong disapprobation of interfering with the management of any part of the king's household.

Mr. BURKE begged to be heard, and said, that from the turn of the debate he feared it would be for the very last time upon the subject of his bill, because if the clause, as he had moved it, for abolishing the treasurer of the chamber was lost, his bill was gone. In the treasurer of the chamber consisted the very pith and marrow of his plan, as far as that plan was endeavoured to be changed out of theory into practice, by the unfortunate bill which he had now reason to mourn over as a dying friend, and to lament with all the affliction that a parent must necessarily feel for the loss of his favourite child. He did not mean that the bill being his work, he could not for that idle reason bear the loss of it, but because his heart and soul were fixed upon those principles of economy, and that aim at the influence of the crown, which governed and were the objects of the work. The treasury of the chamber was the very first office of the household that he had laid his fingers on; it therefore led the way, and involved all the rest; and as the remaining clauses of his bill, for the most part, turned upon the abolition of the board of ordnance, the board of works, the mint, and other boards and offices, which made parts of the household, he was reduced to the necessity of abandoning the whole, if the doctrine which had in the course of the debate prevailed, namely, "that the household must not in any one part be touched, but that such parts of the bill as went merely to the establishments of state, were fair and reasonable subjects of parliamentary revision and reduction," was to be admitted as a bar to the abolition of the office of treasurer of the chamber.

In order to shew that he had no design whatever to abridge or retrench the king's expences, as had been asserted in the course of the debate, he declared that his bill did not limit or tie down his majesty in any one respect; that with regard to his table being served by contract, about which so much had been said, his majesty might, if he pleased, for any thing the bill said to the contrary, contract for his table at a hundred guineas a head, and invite a hundred people to eat at it. It did not restrict the quantum of money to be expended in support of the household; it only took care that what was expended should be wisely and economically laid out, and that fraud should no longer prevail in those who served his majesty with provisions, nor the cost be large, as it now was, of those who were paid for preventing that fraud. He contended, that at present the system of economy, which had been introduced into his majesty's kitchen, was such, that even a rat could not have cheated the cooks, scullions, &c. of a strap of cheese, but at the same time nothing was saved by the system, because the expence of paying cheats to watch cheats, was so great, that it amounted to more than it could possibly cost his majesty, if he was handsomely cheated at once. It had been asked, what would his plan save? As far as it respected the household, he had already said, that in agreeing to give up the clause for having the tables of the household served by contract, he had given up about 12,000*l.* out of his projected savings, and he presumed, if the other parts of his bill, as far as regarded the household, were suffered to remain, his savings, on that head, would amount to about 80,000*l.*

By way of reply to the arguments of those who had talked of the ungentlemanlike conduct of abridging the sovereign, and stinting him in his private expences; he declared he had no such intention, and the best proof that he had not, would be by reminding the committee, that he had not touched the privy purse, for which a clear 48,000*l.* per annum was allotted. This sum was more than sufficient to enable his majesty to live with splendour and dignity. As a proof of it, he instanced the Duke of Northumber-

land, as possessing three palaces, each of which was more splendidly furnished than any one of his majesty's houses. He shewed that the duke's income was not more than 48,000*l.* a year, and reminded the committee of the magnificence and expence which had ever characterized Northumberland-house, making it the first resort of the curious in all countries, from the French ambassador down to the lowest emissary of foreign courts; especially in the life-time of the late duchess, whom he described as a woman possessing a noble soul, a soul fully impressed with the propriety of having her household conducted on a stile of grandeur fit for the high rank and liberal fortune possessed by the duke her husband. In her time, the finest pictures that could be procured were purchased at any price; the expence was the last thing thought on; the two noblemen her sons, also, were allowed an establishment fit for princes, and all this on an income, he verily believed, short of 48,000*l.* a year.

After fully enforcing this argument, he went into a general consideration of the clause, and of the bill, as far as it respected the household, answering every objection that had been made, and contended, that one great end of his bill was the rendering it almost impossible in future for the king to run in debt, by enacting, that the first lord of the treasury should be answerable that the expences of the civil establishment should not exceed the money allowed for that purpose by parliament. He asked, how could it be expected, that the first lord of the treasury should be responsible, if a variety of lesser treasuries were to exist, each of which would govern the branch of the public expenditure under its direction, just as it thought proper? It would be unfair; it would be unjust, to expect a first lord of the treasury to be responsible, unless the treasury was the sole place for issuing public money, and governed the whole expenditure, as well in detail, as in gross amount.

He quoted the king of France's edict for abolishing the office of comptroller-general, and a variety of other offices of infinitely greater import, both in point of rank and ex-

pence, than any his bill was to effect; and held it up as an example worthy to be followed, wishing that the noble lord would tread in the steps of that most able financier, M. Neckar. He compared his majesty's civil establishment with that of the king of Sardinia, declaring that prince had nothing like the income we allowed his majesty; that he nevertheless maintained an army of 25,000 men, and a greater number of expensive fortresses than any power in Europe, France only excepted. He asserted, that had his bill been produced and passed into a law, at the commencement of the present reign, the nation would have saved more than three millions of money, and his majesty would have lived more at his ease, more like a great prince, and with not one jot less splendour and magnificence.

After seriously repeating, that if the present question was carried against him, he should consider his bill as gone, and declaring, that though he would not take any more upon him, to put his weak and disordered frame and constitution to the torture, in order to fight his bill through the House inch by inch, clause by clause, and line by line, he certainly would not be the man to withdraw it, but would leave it to the people to go on with it, and let them judge by the issue how far their petitions were able to procure the redress of grievances they complained of. He concluded with begging leave to tell an old story by way of elucidation of what he meant, There was, he had heard, a handsome widow, possessed of an ample income, who lived in a dissenting meeting-house: a well intentioned man, who attended the service of the day, saw her, and was invited by her to visit her; he fell in love with her, and, coming directly to the point, said, "Madam, will you marry me?" She refused him: he still persisted in his request, and she still refused. He then changed his request, and asked her to let him be her steward? "No, she would not." Her butler? "No." Her cook? "No." Would she entrust him with the care of her wardrobe? "No." After a variety of requests, finding them all denied, he was going away, when on a sudden he turned round,

and begged one of her late husband's old wigs. The widow, who had refused all his former requisitions, complied with this, and the man who had asked the widow to give him her person and fortune, was obliged at last to be contented with one of her husband's old wigs. So is the case with me, said Mr. Burke. I would marry the handsome and rich widow economy. I fain would have her person and fortune; but finding I cannot get them, I have asked to be her treasurer, her steward, her butler, her cook, and her wardrobe-keeper — but all in vain! I have got one of her late husband's old wigs, and with that, I fear, I must walk off contented; but only I beg the committee will do me the justice to remember, that I did not so far degrade myself as to ask for the old wig solely.

The question being put at one o'clock in the morning, on the first member of the clause, for abolishing the office of treasurer of the chamber, the committee divided: For the motion 158.: against it 211. Mr. Burke having lost this point, declared his indifference to what became of the rest of the bill. Mr. Fox, however, roused him to his wonted attention to it, by arguing on the necessity of their still going through with the bill, and if they got ever so little more than they had already gained, it would be worth the striving for. Even, he said, if they could not obtain more than the abolition of the seven lords of trade, he should, after having gone through the bill, think that had been worth the struggle, because, as he was determined — and he doubted not but his honourable friend would join with him — to renew the bill from session to session, till they had effected the wished-for purpose of demolishing the influence of the crown, they would have seven of the enemy less to fight against. Mr. Burke admitted the force of his honourable friend's argument. The succeeding members of the clause were accordingly gone through, and each received a negative without a division.

April 28.

Clauses for abolishing the office of the Great Wardrobe, the Board of Works, &c.

This day the House again resolved itself into a committee on Mr. Burke's establishment bill, and first took into consideration the clause "for abolishing the office of the great wardrobe, the office of the removing wardrobe, the office of master of the robes, the office called the jewel-office, and all the places and charges, whether of persons presiding in or dependent on them, or any of them, of what nature soever, except those of one housekeeper, and one wardrobe-keeper (the said places to be united after the possession of the present occupiers) in each of his majesty's palaces and houses."

Mr. BURKE rose to inform the committee why he had not attempted to meddle with the housekeepers of the royal palaces. He said, he found palaces of two kinds, real and virtual; palaces which were visible and substantial, and palaces which were merely ideal, and had no existence but in the intellects. On examining the red-book, he found at the head of the list of housekeepers, Lady Mary Churchill, and she was followed by a whole heap of petticoats. He declared he thought it extremely right that there should be some respectable establishment for women of condition and family, and therefore imagining that the places were all held by ladies, as well out of his natural respect for the sex, as from the real feelings of his mind upon the occasion, he determined not to meddle with one of them. He had, however, received no less than eight letters on the subject, begging him not to move for the abolition of the places of housekeepers to the royal palaces, and, among others, one from Haverford-west, stating that John Manners, Esq. was housekeeper at Whitehall. He again referred to the red-book, for before, he had imagined it to be an error, and that it had either meant Lady John Manners, or Joan Manners; however,

after brushing aside the crowd of hoop-petticoats which almost concealed him, he espied John Manners, Esq. He said, he immediately went to Whitehall, which he found to be one of the ideal palaces, without habitations for retinue, or capability of reception of residents. All he saw there were several paintings of nudities in the banquetting-house, by Peter Paul Rubens, and a painter busy about them, who, according to the modern fashion, was employed in correcting and improving the works of that great master. He saw, however, no housekeeper, nor any occasion for one, though 500*l.* a year and better, was paid to John Manners, Esq. for holding that office. He mentioned this, to shew at once that the office of housekeeper to any of the royal palaces, was, generally speaking, a mere sinecure, which, however, as long as it was bestowed on ladies of condition, should receive no shock or violence from his hands. The rest of the clause went to the abolition of the offices of the great wardrobe, &c. which undoubtedly were so far useless, that though they cost a great deal of money, the committee must see the whole duty of them might be done at considerably less expence by other persons.

Mr. Gilbert said, that as he had on a former occasion intimated his opinion, that it would be indelicate to reform those parts of the civil list which related to his majesty's household by act of parliament; and as the House had, in a former determination, avoided entering upon them, he thought it probable that they would adhere to the same rule in their determination respecting the great wardrobe. That he hoped the committee would pay so much credit to the part he had taken in public affairs, and to his conduct in life, as to acquit him of any interested views respecting that office, notwithstanding he was a member of it; he assured the committee, that on every occasion, where his own interest had stood in competition with that of the public, he had always preferred the latter. That with the assistance of the master of the wardrobe, he had reformed such abuses in the office, as fell under his inspection, as comptroller, and had saved his majesty 900*l.* per annum.—Earl Nugent objected to the clause, as tending very unjusti-

fiably to interfere with his majesty's domestic regulations. He said, if the honourable gentleman, when he saw the painter at work in the banqueting-house at Whitehall, on the paintings of Rubens, had asked that painter who he was, he did not at all doubt, but the man would have told him he was a reformer, and that he was attempting to reform and alter those pictures which had been the original work of a greater master, and had been admired for a long series of years. Just as the painter's attempts to correct the pictures of Rubens had struck the honourable gentleman, did the honourable gentleman's bill strike him; it was an attempt to reform, alter, and correct the constitution. He cautioned the honourable gentleman, therefore, how he proceeded; the constitution was the work of the old school, the work of those masters, whose universal excellence and skill had been established by the sanction and approbation of admiring ages; let the honourable gentleman consider, that the picture, however mellowed by the hand of time, had not lost its original beauty, and that the rude hand of a modern reformer might, under the notion of correcting and improving, spoil the piece altogether.

Mr. BURKE, in reply, said, that the noble lord's argument was an argument *ad verecundiam*, which he would readily answer. That which occasioned the painter to be employed in re-touching the almost invisible strokes of Rubens, made him turn reformer — the necessity of the times. It was contrary to his genius, his temper, and his wish, contrary to every inclination of his mind, to attempt the invidious task he had then in hand. He did assure the noble lord, that nothing but dire necessity had forced him upon it. He had long lamented the pressing occasion there was for some person to attempt a reformation in many of the great branches of the public expenditure. He had waited almost to the last moment, in hopes that some other person, whose superior talents, whose turn of mind, and whose zeal, would better qualify him for the office of reforming what was wrong; finding that no body would do it, and the necessity of its being done pressing more and more, he had at last ventured, unwillingly, upon a task

which he disliked as much as any man living. He did assure the noble lord he would much rather have proposed to build his majesty splendid palaces, to buy him the most valuable pictures, and to do every thing which could contribute to hold him up in all the possible splendour and magnificence of royalty, than to have taken upon him an office disagreeable in itself, and sure to create him enemies, namely, that of abolishing places in the household, with a view, by making a trifling saving for the public, to assist somewhat towards the great expences they laboured under. Solomon, with all his glory, was said not to be clothed like the lillies of the field: our Solomon, with all his heart, might outvie the lillies of the field; he had not the smallest objection. He repeated — it was the necessity of the times, and not his will, that made him a reformer. He could not, however, but wonder a little at the noble lord's comparison of his bill and the objects of it, to a modern painter's reforming the pictures of Rubens: he should have thought the simile of the old tattered worsted stockings, which had been used on a preceding day, would have suited better, because his bill was calculated not to alter the constitution, but to pick out the old worsted, to draw the rents together, and mend the holes. Such an office as the one he had undertaken was far from being new. There was in the household itself an office like it, and that was called the office of arras mender, whose duty it was to take care of the tapestry hangings, the works of old masters, and which had been admired for a series of years, but which — from the decay and rottenness occasioned in them by the teeth of devouring time, and from the holes made in them by the teeth of rats, and other noxious animals, who sheltered themselves behind them, nibbling them away, and continually preying upon them — were in danger of falling to pieces, and occasionally required the assistance of the arras mender, to patch them up, and make them hold together.

Having said this, he took up his minutes of the enumeration of the duties of the great wardrobe, stated by Mr.

Gilbert, and in a vein of the richest ridicule, animadverted on each, keeping the committee in a roar almost the whole time he was treating of them. The first articles, he observed, were coronations and great funerals, two articles, which he hoped would give no occasion for the employment of the great wardrobe for many, many years to come. His majesty, he thanked God, had been blessed with a vigorous and healthful constitution; in all probability, therefore, no gentleman present would live to see a coronation. The honourable gentleman had talked a great deal, and very pathetically, on the subject of great funerals; perhaps he foresaw that the clause would pass the committee, and as that would naturally effect the death of the great wardrobe, the honourable gentleman might have in view its funeral procession, in which Lord Pelham and the honourable gentleman would necessarily walk as chief mourners, a sight certainly very melancholy to behold, but particularly affecting to the honourable gentleman, and those other officers who made up the solemn shew. Great funerals in general, Mr. Burke said, were great follies; the worst waste of money that could be adopted. Now and then, indeed, when the nation meant to do honour to a deserving character, to whose efforts, while living, it stood highly indebted, they were proper, justifiable, and even necessary. He had seen one such funeral — that of the Earl of Chatham — and there, indeed, he must do the great wardrobe the justice to say, that they had rigidly adhered to that virtue, which it was one object of his bill to recommend and enforce — the virtue of economy! So economical, and so saving were the great wardrobe on that occasion, that the cloaks were short, scanty, and threadbare, and no scarfs, nor hardly any thing necessary was to be had. Perhaps, indeed, it was intended as a stroke of policy in the great wardrobe, who, knowing that the minority would be the chief attendants on that funeral, and remembering that it was the minority who made so much noise about economy in parliament, were determined to treat them in their own way, and to shew that one public office at least attended

with due deference to their doctrines, and carried their practice of economy even beyond the bounds of decency.

The next article of Mr. Gilbert's list, which he took notice of, was the clothing of the state trumpeters; by these, he said, he presumed the writers for government were meant, who having so far succeeded in their efforts as to render ministry universally unpopular and detestable, certainly ought to be well taken care of and properly clothed. He understood, however, that the noble lord in the blue ribbon, had, in that business, shewn some regard to the public, and by way of saving expence, had contracted to pay the work these writers undertook, by the gross. After going through several other articles, he said; "so much for the work done for the crown, now let us see what is done for the people." Why, the great wardrobe furnishes the House of Commons, and the House of Lords. The proper constitutional furniture of the former, he said, were living figures, such, however, as were sometimes rather costly, and by the price of the purchase not very economically bought. With regard to the seats, it was impossible for him by the feel to ascertain whether they were done by contract, or how, but there need, he thought, be no great expence lavished on them; matted rushes would inspire as patriotic sentiments to the persons who sat upon them, as soft cushions. He presumed, that neither Lord Pelham, nor the honourable gentleman, troubled their heads about them; that if they did any thing that concerned furnishing either House of Parliament it was by stuffing the woolsacks, and other metaphorical seats of the other House. Having for a considerable time excited laughter by his wit, Mr. Burke returned to a serious consideration of the clause, pointing out the great wardrobe and other offices as unnecessary, and therefore as they cost a considerable sum, he said, he thought they might well be spared, and ought to be abolished.

The clause was at length rejected upon a division, by a majority of 210 to 162.

The committee then proceeded upon the succeeding clause, for abolishing the board of works. This brought on a new debate, in which Mr. Burke distinguished himself more than ever by the force of his arguments, the fertility of his invention, and the pleasantry with which he enlivened a matter apparently dry and insipid in itself; but the question being at length put, the clause was rejected, upon a division, by a majority of 203 to 118. *

May 18.

THE committee on the remaining clauses of Mr. Burke's establishment bill being this day resumed, that for abolishing the offices of master of the buck-hounds, fox-hounds, and harriers, was rejected upon a division, by a majority of 75 to 49. The clause for enacting, that the places of lieutenant and ensign, and all other inferior offices belonging to the body of yeomen of the guards, after the determination of these offices in the present possessors, and also, all commission and other offices belonging to the band of gentlemen pensioners, should not be sold, but filled by officers of the army and navy on half pay, and of fifteen years' service; was agreed to. The clause for abolishing the office of paymaster of the pensions, and its dependencies, was rejected on a division, by a majority of 79 to 64. The clause against the private payment of the pensions during pleasure was better attended, and of course rejected by a greater majority; the numbers, upon a division, being 115 to 79. The clause for limiting the secret service money, was rejected without a division. The clause for regulating the order in which payments were to be made to the civil officers of the state, including all the orders of the household, was rejected, upon a division, by a majority of 110 to 58. The

* "It was generally agreed, both by members and strangers, that Mr. Burke had not made so agreeable a figure in the House of Commons for many years as on this evening. He evidently came down with his mind made up to the fate of the remaining clauses of his bill, and therefore treated them with all that ready wit, pleasantry, and good humour, which are the real features of his character." Political Magazine, vol. i. p. 473.

clause for enabling certain specified great officers to call the several public accountants before them, in a summary way, and to examine and audit their accounts, was rejected by 68 to 31. Mr. Burke then declared, that he would not divide the House upon any of the remaining clauses, but desired that they might be read over and negatived as expeditiously as possible, in order that the committee might be dissolved, and his bill no longer remain either an eye-sore to his adversaries, nor an object for demanding the tiresome and fruitless attendance of his friends. About half the members immediately quitted the House upon this notice; but one solitary clause, relative to the exchequer, having the fortune to attract the regards of Lord North, he wished it might be postponed to another day; for though he liked the object extremely, it was not dressed entirely to his taste; upon which account, he proposed that the chairman should report a progress, in order to keep the committee open.

Mr. Burke replied, that his patience and his spirits were both exhausted; and he requested of the noble lord to be so kind and merciful as to put an end to his sufferings, and negative this, as he had done the preceding clauses. His plan, if adopted on the large scale on which he had laid it down, would, he said, have saved to the nation, directly and in its consequences, above a million per annum; and it was scarcely worth his lordship's while to keep him any longer on the torture, under the pressure of this unfortunate clause, for any trifling saving which it might produce. Both sides being obstinate, the question was brought to a division, which being carried by the minister, the committee was still kept open.

June 23.

The House went again into a committee on Mr. Burke's establishment bill. The remaining clauses were all rejected. A motion was then made to report the proceedings to the House; upon which the previous question was moved by Lord North, that Mr. Elwes the chairman do leave the chair. This being carried, the committee was dissolved, and the bill was consequently lost.

Renewal of the East India Company's Charter.

March 21.

THIS day Lord North informed the House, that the East India Company not having made such proposals for the renewal of their charter, as he had deemed satisfactory, he should accordingly move the House, for the Speaker to give them the three years' notice ordained by act of parliament, previous to the dissolution of their charter, that the capital stock or debt of 4,200,000*l.* which the public owed to the Company, should be fully paid, on the 5th of April, 1783, agreeably to the power of redemption included in the said act. After the motion had been strongly opposed by Mr. Fox,

Mr. Burke rose. He said he execrated the narrow idea of bargaining with the East India Company as if we were treating with an enemy, and on the supposition, that every thing we did not get by the bargain was so much loss to us. He reprobated the intention of giving notice to the Company, according to the motion, as the most wicked, absurd, abandoned, profligate, mad, and drunken intention that ever was formed. He reprehended also in the strongest terms of ridicule the speculation of a new company, declaring, that like a new Mississippi scheme, it was only fit for such a bubble projector as Mr. Law. He asserted in round and direct terms, that the attempt would be big with ruin to all who ventured on it: he allowed that in this country, there might always be found men enough who were ready to bite at a bubble; but declared, that those who were so weak and incautious as to join in such a mad and drunken scheme, would lose their all by it. This, it might be said, was mere speculation; so was the noble lord's idea of a new company, and till they were tried, his speculation was as good as the noble lord's. He contended, that parliament were not

ripe to come to a decision on a point of so much importance, as that of giving the East India Company notice, that parliament would pay off the 4,200,000*l.* Before the House attempted that rash step, before the noble lord hazarded his speculation of a new company, the state of the Company's accounts ought to be laid before them, the state of the acquisitions in India, the state of the revenues, and every other paper and document that could enable the House to form an opinion and judge for themselves. He repeatedly asserted, that they were not yet ripe to form any such opinion or any such judgment. It was, he said, the rapacity of the minister to gain a great revenue from America, that had lost us the thirteen colonies. Let that be a warning to the House not to let the revenue mislead them again. Let them regard the East India Company as their friends, as their best commercial allies, and as their brethren. The noble lord talked of the public, and the rights of the public; the East India Company was a part of that public; as dear to the House, and as worthy of their attention, as the noble lord and his speculations of revenue,—as any minister who now did or ever had existed. After pursuing the subject with great animation, and in the most glowing terms, Mr. Burke spoke more coolly, and said, he asked pardon if he had been betrayed into too much warmth, but the vast importance of the subject had impressed itself so strongly on his feelings, that it was impossible for him, on hearing such a fatal, such an alarming motion, to speak of it with moderation. He urged the noble lord not to press the motion at present, and concluded with moving the previous question.

Mr. Burke's motion was rejected on a division, by a majority of 142 to 68. The main question being then put for the Speaker to give notice to the East India Company of the payment in three years of their capital stock, it was carried without a division.

MR. DUNNING'S MOTION FOR SECURING THE INDEPENDENCE OF PARLIAMENT.

April 10.

THE House being this day in a committee for taking into further consideration the several Petitions for an Economical Reform, Mr. Dunning, in pursuance of his plan for reducing the influence of the crown, moved the following resolution: "That it is the opinion of this committee, that, for preserving the independence of parliament, and obviating any suspicion of its purity, there be laid before this House, within seven days after the first day of every session, exact accounts, authenticated by the signature of the proper officers, of every sum and sums of money paid in the course of the preceding year, out of the produce of the civil list, or any other branch of the public revenue, to, or to the use of, or in trust for, any member of either House of parliament, by way of pension, salary, or on any other account whatsoever; specifying when and on what account." This resolution being agreed to, Mr. Dunning next moved, "That it is the opinion of this committee, that it is incompatible with the independence of parliament, that persons holding the offices of treasurer of the chamber, treasurer of the household, cofferer of the household and his clerk, comptroller of the household and his clerk, master of the household, and the clerks of the green cloth, be entitled to hold seats in this House, if such places shall be permitted to exist." Mr. Dundas opposed the resolution, and in support of his argument read to the committee copious extracts from Mr. Burke's "Thoughts on the Cause of the Present Discontents." If the idea had been suggested to the House by a bill, it would have appeared to him a much fairer way of proceeding, because at the bringing in of such bill, or in any of its subsequent stages, it might, he said, have been coolly discussed, but in the present instance, gentlemen were called on instantly to decide upon an extensive and important proposition, popped out of a member's pocket, and wholly new to those whom it most immediately concerned. This mode of taking the House by sur-

prize was of itself sufficient to excite his objection to the motion.

Mr. BURKE began with saying, that the learned gentleman's feelings of surprize were of the most extraordinary kind. Surprize to the learned gentleman was preparation. The learned gentleman's speech was the plainest and most direct answer to his argument against being taken by surprize, for though he had known nothing of the motion then under consideration, an invisible agent had conveyed into his pocket a long written extract, which the learned gentleman had thought convenient and applicable. The learned gentleman had descended to steal that from another which was of little worth. He had confessed himself a plagiary — a plagiary too of the most pitiful kind! He had robbed the poor, and taken what could avail him nothing. With regard to the author quoted by the learned gentleman, would any man say that a writer was bound to follow in all cases, and under all circumstances, those arguments which he had thought wise and proper ten years ago, when times and circumstances were excessively different? At that time influence was not carried to the extent to which it had been carried since. The American war had not been commenced. America was not lost to this country by influence. As far, however, as he was acquainted with that author, he would take upon him to assert, that what were his opinions, when he wrote the passages the learned gentleman had cited, were his opinions now, exactly and entirely. The extract had no reference whatever to the point then under discussion; but he would appeal to the committee if his conduct had differed from the doctrines contained in that extract. What was the principal argument of them but this? That a general place bill, tending to disjoint the military and great professional departments from the legislature, and give them separate feelings and separate interests, would not only be a violent but a dangerous innovation on the constitution. Who would now say otherwise? The place-bill at pre-

sent proposed was not the sort of measure the extract alluded to.

After arguing this for some time, Mr. Burke went into a defence of the motion as perfectly consonant to his own bill, though it fell somewhat short of it. The clause, however, having been lost, was it to be wondered at, or charged against him as an inconsistency, that he should take up his friend's proposition which came so near to his own meaning? This led him into a defence of his own clause, which the committee, who sat upon it before the holidays, had rejected. He declared it appeared to him that the offices aimed at in his plan of reform, such as the king's cooks, the king's dog-keepers, &c. were much too menial to be held by members of parliament, and therefore he had wished to abolish them. To do those members who held these sort of places justice, it was but fair to say, they had a most gentleman-like ignorance of the duties of the respective offices they filled. From this Mr. Burke returned to a defence of the present motion, and trusted that he and his friends should prove to be linked by a more tough and durable chain, than a rope of sand, by the decision of the question, which he justified from the lord advocate's attack on the ground, "that it would, if carried, do an injury to many an honest man, but not prevent men willing to be corrupted, from being corrupted," by desiring the committee to remember that part of the Lord's Prayer, which says, "lead us not into temptation," and telling them it was their duty to lessen the inducements to members to be corrupted by taking away the means of corruption.

The committee divided: Yeas 215: Noes 213.

PUNISHMENT OF THE PILLORY.

April 11.

ON the 8th of April, one Read, a coachman, and one Smith, a plaisterer, stood in the pillory, on St. Margaret's-hill, for unnatural practices; the former of whom perishing before the time expired, owing to the severity of the mob, the same was taken notice of in the House of Commons, on the 11th, when

Mr. BURKE rose, and called the attention of the House to a very particular matter. He said, they sat there to make laws for the subject; that the laws which chiefly came under their consideration were laws of civil polity, but those which most claimed their attention and care were the criminal laws. The first only regarded men's property; criminal laws affected men's lives, a consideration infinitely superior to the former. In making criminal laws, it behoved them materially to consider how they proceeded, to take care wisely and nicely to proportion the punishment, so that it should not exceed the extent of the crime, and to provide that it should be of that kind, which was more calculated to operate as an example and prevent crimes, than to oppress and torment the convicted criminal. If this was not properly attended to in the criminal laws which passed that House, they forced his majesty to violate his coronation oath and commit perjury, because his majesty, when he was crowned, and invested with the executive government, had solemnly sworn to temper justice with mercy, which it was almost impossible for him to do if that House suffered any penal laws to pass on principles repugnant to this idea, and in which justice, rigid justice, was solely attended to, and all sight of mercy lost, and foregone. He said, the matter which had induced him to make these reflections, was the perusal of a melancholy circumstance

stated in the newspapers of that morning. He hoped to God the fact was mis-stated, and that the whole relation had no foundation in truth. It had, however, made a very strong impression on his mind, and he conceived it of a nature sufficiently interesting to merit the attention of that House, because if it should turn out to be true, he thought it would be incumbent on that House to take some measure in consequence of it. The relation he alluded to, was that of the unhappy and horrid murder of a poor wretch, condemned to stand in the pillory the preceding day. The account stated that two men had been doomed to this punishment; that one of them being short of stature, and remarkably short-necked, could not reach the hole made for the admission of the head, in the aukward and ugly instrument used in this mode of punishment; that the officers of justice, nevertheless, forced his head through the hole, and the poor wretch hung rather than walked as the pillory turned round; that previous to his being put in, he had deprecated the vengeance of the mob, and begged that mercy, which from their exasperation at his crime, and their want of considering the consequences of their cruelty, they seemed very little to bestow. That he soon grew black in the face, and the blood forced itself out of his nostrils, his eyes, and his ears. That the mob, nevertheless, attacked him and his fellow-criminal with great fury. That the officers seeing his situation, opened the pillory, and the poor wretch fell down dead on the stand of the instrument. The other man, he understood, was likewise so maimed and hurt by what had been thrown at him, that he now lay without hope of recovery.

Having stated this to the House, Mr. Burke proceeded to remark, that the Punishment of the Pillory had always struck him as a punishment of shame rather than of personal severity. In the present instance it had been rendered an instrument of death, and that of the worst kind, a death of torment. The crime for which the poor wretches had been condemned, was such as could scarcely be mentioned, much less defended or extenuated — the

commission of sodomitical practices. A crime of all others the most detestable, because it tended to vitiate the morals of the whole community, and to defeat the first and chief end of society. The crime was however of all other crimes a crime of the most equivocal nature, and the most difficult to prove. When criminals convicted of sodomitical practices were sentenced to the pillory, they were adjudged that punishment with a view to expose them to public reproach and contempt, not to popular fury, assault, and cruelty. To condemn to the pillory with any such ideas, would be to make it a capital punishment, and as much more severe than execution at Tyburn, as to die in torment was more dreadful than momentary death, almost without sensation of pain. He submitted it, therefore, to the consideration of the House, whether, if the facts turned out as they were stated in the newspapers, and as he had reported them to the House on newspaper authority, it would not be right to abolish the punishment of the pillory, since it was liable to such violent perversion, as to be rendered not the instrument of reproach and shame, but of death and murder. If no man would take the matter in hand, he would bring in a bill for this purpose; he saw, however, a learned gentleman in the House, from whose high character and distinguished place, it was fair to infer that the matter would be much better lodged in his hands, and would be more properly conducted than it could be by him. He hoped that learned gentleman would take it up, and that the House, if the facts should turn out to be true, as he had mentioned, would direct the learned gentleman to proceed against those to whose neglect, or cruelty, the murder was ascribable.

The attorney-general, Mr. Wedderburn, complimented Mr. Burke on his having stated the matter to the House with those striking features of humanity which characterized his conduct on every occasion; he said, most certainly a tale of so extraordinary a nature merited the attention of that House in general, and his attention in particular. He should do the honourable gentleman the justice to pay immediate regard to

what he had said, and though he had the utmost respect for the House, and should on every occasion most readily pay obedience to its commands, it did not strike his mind that their interference was necessary on the present occasion. If the facts were as the honourable gentleman had stated them to be, the matter immediately called for legal enquiry, in order to lead to a conviction and punishment of those who were guilty, and had been accessary to the murder. The judges who sentenced the men to the pillory were clearly innocent of the guilt of their deaths, because, undoubtedly, they had done no more in condemning them to that punishment than they were obliged to do by the laws now in being, and could have no idea that they were sentencing the criminals to a punishment that would affect their lives. There were two descriptions of persons who were the objects of punishment in the present case, those who by neglect of duty had suffered the criminal to be murdered, and such of the mob as were most immediately concerned in the murder, if they could be come at. It was unquestionably proper that offenders, guilty of such an atrocious crime, should be convinced that what they had done was within the reach of the laws of the country, and that no men, however they might be misled by ill-judged indignation, would be suffered to commit such enormities with impunity. In doing this, however, proper care must be taken that in endeavouring to answer the ends of justice, injustice was not committed. It certainly was necessary for the officers appointed to put the sentence of the law in execution upon criminals, to do their duty with a certain degree of spirit. He should therefore first institute an enquiry in order to substantiate the facts, and then proceed regularly upon them. With regard to an alteration of the law as it stood, the honourable gentleman would give him leave to pause upon it a little, and before he took any step for that purpose to consult those more conversant with the nature of criminal punishments than he was himself.

Here the conversation dropped.

Bill for shortening the Duration of Parliaments.

May 8.

THIS day Mr. Alderman Sawbridge moved, "That leave be given to bring in a bill for shortening the Duration of Parliaments." Upon this occasion,

Mr. Burke rose and said: *

It is always to be lamented when men are driven to search into the foundations of the commonwealth. It is

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* The above Speech was found amongst Mr. Burke's papers without date. The following short report of the speech, taken from the Political Magazine for May 1780, settles the point:

"Mr. Burke, in a most able, ingenious, and elaborate speech, argued against the motion, shewing by the clearest argument, that if it were carried, and triennial parliaments were introduced, the influence of the crown would be most fatally increased; if annual parliaments were the sort agreed upon, he asserted that there would be no contest, and consequently, that in fact there would be no election. He declared, the question relative to the shortening the duration, could not be said to have originated in the wishes of the people, for it had never yet been properly before them; if it had, and they had fairly discussed it, in every point of view, he did not doubt but they would have seen the danger of it, and determined wisely against it; *qui cautè deliberant, facile pronunciant.* He said, however unpopular his speech might render him, it was his duty as an honest man, to deliver his sentiments on so great a subject, that his constituents might fairly know, what sort of a person it was, who offered himself as a candidate for their votes at the next election. He then proceeded to a most ample investigation of the whole subject, exhibiting with all that power of pencil which he possesses, and with all that glow of colouring, which no man can more beautifully display, that the consequence of shortening the duration of parliament, would tend to increase corruption, to ruin individuals, and to extend the influence of the crown. He reprobated the attempt of trying a triennial parliament, as dangerous in the extreme. If the experiment failed, we could not go back to septennial parliaments, without destroying the weight and importance which the interference of the people at large ought always

certainly necessary to resort to the theory of your government, whenever you propose any alteration in the frame of it, whether that alteration means the revival of some former antiquated and forsaken constitution of state, or the introduction of some new improvement in the commonwealth. The object of our deliberation is, to promote the good purposes, for which elections have been instituted, and to prevent their inconveniencies. If we thought frequent elections attended with no inconvenience, or with but a trifling inconvenience, the strong overruling principle of the constitution would sweep us like a torrent towards them. But your remedy is to be suited to your disease — your present disease, and to your whole disease. That man thinks much too highly, and therefore he thinks weakly and delusively of any contrivance of human wisdom, who believes that it can make any sort of approach to perfection. There is not, there never was, a principle of government under heaven, that does not, in the very pursuit of the good it proposes, naturally and inevitably lead into some inconvenience, which makes it absolutely necessary to counterwork and weaken the application of that first principle itself; and to abandon something of the extent of the advantage you proposed by it, in order to prevent also the inconveniences which have arisen from the instrument of all the good you had in view.

To govern according to the sense and agreeably to the interests of the people is a great and glorious object of government. This object cannot be obtained but through the medium of popular election; and popular election is

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to carry with it. He gave a detail of the triennial parliaments in the reign of William the Third, and shewed, that though they were little better than biennial parliaments, there was more corruption in them than any our history recorded to have sat. He instanced the case of the East India Company's bribery of the members, mentioning the Speaker's being obliged to put the question on his own expulsion, and the affair of Sir Christopher Musgrave."

a mighty evil. It is such, and so great an evil, that though there are few nations whose monarchs were not originally elective, very few are now elected. They are the distempers of elections, that have destroyed all free states. To cure these distempers is difficult, if not impossible; the only thing therefore left to save the commonwealth is to prevent their return too frequently. The objects in view are, to have parliaments as frequent as they can be without distracting them in the prosecution of public business; on one hand, to secure their dependence upon the people, on the other to give them that quiet in their minds, and that ease in their fortunes, as to enable them to perform the most arduous and most painful duty in the world with spirit, with efficiency, with independency, and with experience, as real public counsellors, not as the canvassers at a perpetual election. It is wise to compass as many good ends as possibly you can, and seeing there are inconveniences on both sides, with benefits on both, to give up a part of the benefit to soften the inconvenience. The perfect cure is impracticable, because the disorder is dear to those from whom alone the cure can possibly be derived. The utmost to be done is to palliate, to mitigate, to respite, to put off the evil day of the constitution to its latest possible hour, and may it be a very late one!

This bill, I fear, would precipitate one of two consequences; I know not which most likely, or which most dangerous; either that the crown by its constant stated power, influence, and revenue, would wear out all opposition in elections, or that a violent and furious popular spirit would arise. I must see, to satisfy me, the remedies; I must see, from their operation in the cure of the old evil, and in the cure of those new evils, which are inseparable from all remedies, how they balance each other, and what is the total result. The excellence of mathematics and metaphysics is to have but one thing before you; but he forms the best judgment in all moral disquisitions, who has the greatest number and variety of considerations in one

view before him, and can take them in with the best possible consideration of the middle results of all.

We of the opposition, who are not friends to the bill, give this pledge at least of our integrity and sincerity to the people, that in our situation of systematic opposition to the present ministers, in which all our hope of rendering it effectual depends upon popular interest and favour; we will not flatter them by a surrender of our uninfluenced judgment and opinion; we give a security, that if ever we should be in another situation, no flattery to any other sort of power and influence would induce us to act against the true interests of the people.

All are agreed that parliaments should not be perpetual; the only question is, what is the most convenient time for their duration? On which there are three opinions. We are agreed, too, that the term ought not to be chosen most likely in its operation to spread corruption, and to augment the already overgrown influence of the crown. On these principles I mean to debate the question. It is easy to pretend a zeal for liberty. Those, who think themselves not likely to be encumbered with the performance of their promises, either from their known inability, or total indifference about the performance, never fail to entertain the most lofty ideas. They are certainly the most specious, and they cost them neither reflection to frame, nor pains to modify, nor management to support. The task is of another nature to those, who mean to promise nothing, that it is not in their intention, or may possibly be in their power, to perform; to those, who are bound and principled no more to delude the understandings than to violate the liberty of their fellow subjects. Faithful watchmen we ought to be over the rights and privileges of the people. But our duty, if we are qualified for it as we ought, is to give them information, and not to receive it from them; we are not to go to school to them to learn the principles of law and government. In doing so, we should not dutifully serve, but we should basely and scandalously betray, the people, who are not capable of this service by nature, nor in any instance called

to it by the constitution. I reverently look up to the opinion of the people, and with an awe that is almost superstitious. I should be ashamed to show my face before them, if I changed my ground, as they cried up or cried down men, or things, or opinions; if I wavered and shifted about with every change, and joined in it, or opposed, as best answered any low interest or passion; if I held them up hopes, which I knew I never intended, or promised what I well knew I could not perform. Of all these things they are perfect sovereign judges, without appeal; but as to the detail of particular measures, or to any general schemes of policy, they have neither enough of speculation in the closet, nor of experience in business, to decide upon it. They can well see whether we are tools of a court or their honest servants. Of that they can well judge; and I wish that they always exercised their judgment; but of the particular merits of a measure I have other standards. * * * * * That the frequency of elections proposed by this bill has a tendency to increase the power and consideration of the electors, not lessen corruptibility, I do most readily allow; so far it is desirable; this is what it has, I will tell you now what it has not: 1st. It has no sort of tendency to increase their integrity and public spirit, unless an increase of power has an operation upon voters in elections, that it has in no other situation in the world, and upon no other part of mankind. 2d. This bill has no tendency to limit the quantity of influence in the crown, to render its operation more difficult, or to counteract that operation, which it cannot prevent, in any way whatsoever. It has its full weight, its full range, and its uncontrolled operation on the electors exactly as it had before. 3d. Nor, thirdly, does it abate the interest or inclination of ministers to apply that influence to the electors: on the contrary, it renders it much more necessary to them, if they seek to have a majority in parliament, to increase the means of that influence, and redouble their diligence, and to sharpen dexterity in the application. The whole effect of the bill is therefore the removing the application of some part of the influence

from the elected to the electors, and further to strengthen and extend a court interest already great and powerful in boroughs; here to fix their magazines and places of arms, and thus to make them the principal, not the secondary theatre of their manœuvres for securing a determined majority in parliament.

I believe nobody will deny that the electors are corruptible. They are men; it is saying nothing worse of them; many of them are but ill informed in their minds, many feeble in their circumstances, easily over-reached, easily seduced. If they are many, the wages of corruption are the lower; and would to God it were not rather a contemptible and hypocritical adulation than a charitable sentiment, to say that there is already no debauchery, no corruption, no bribery, no perjury, no blind fury, and interested faction among the electors in many parts of this kingdom: nor is it surprising, or at all blameable, in that class of private men, when they see their neighbours aggrandized, and themselves poor and virtuous without that *eclat* or dignity, which attends men in higher situations.

But admit it were true that the great mass of the electors were too vast an object for court influence to grasp, or extend to, and that in despair they must abandon it; he must be very ignorant of the state of every popular interest, who does not know that in all the corporations, all the open boroughs, indeed in every district of the kingdom, there is some leading man, some agitator, some wealthy merchant, or considerable manufacturer, some active attorney, some popular preacher, some money-lender, &c. &c. who is followed by the whole flock. This is the style of all free countries.

——Multùm in Fabiâ valet hic, valet ille Velinâ;
Cuilibet hic fasces dabit eripietque curulè.

These spirits, each of which informs and governs his own little orb, are neither so many, nor so little powerful, nor so incorruptible, but that a minister may, as he does frequently, find means of gaining them, and through them all

their followers. To establish, therefore, a very general influence among electors will no more be found an impracticable project, than to gain an undue influence over members of parliament. Therefore I am apprehensive that this bill, though it shifts the place of the disorder, does by no means relieve the constitution. I went through almost every contested election in the beginning of this parliament, and acted as a manager in very many of them; by which, though as at a school of pretty severe and rugged discipline, I came to have some degree of instruction concerning the means, by which parliamentary interests are in general procured and supported. . . .

Theory, I know, would suppose, that every general election is to the representative a day of judgment, in which he appears before his constituents to account for the use of the talent with which they entrusted him, and of the improvement he has made of it for the public advantage. It would be so, if every corruptible representative were to find an enlightened and incorruptible constituent. But the practice and knowledge of the world will not suffer us to be ignorant, that the constitution on paper is one thing, and in fact and experience is another. We must know that the candidate, instead of trusting at his election to the testimony of his behaviour in parliament, must bring the testimony of a large sum of money, the capacity of liberal expence in entertainments, the power of serving and obliging the rulers of corporations, of winning over the popular leaders of political clubs, associations, and neighbourhoods. It is ten thousand times more necessary to shew himself a man of power, than a man of integrity, in almost all the elections with which I have been acquainted. Elections, therefore, become a matter of heavy expence; and if contests are frequent, to many they will become a matter of an expence totally ruinous, which no fortunes can bear; but least of all the landed fortunes, encumbered as they often, indeed as they mostly are, with debts, with portions, with jointures; and tied up in the hands of the possessor by the limitations of settlement. It is a material, it is in my opinion a lasting con-

sideration, in all the questions concerning election. Let no one think the charges of elections a trivial matter.

The charge therefore of elections ought never to be lost sight of, in a question concerning their frequency; because the grand object you seek is independence. Independence of mind will ever be more or less influenced by independence of fortune; and if, every three years, the exhausting sluices of entertainments, drinkings, open houses, to say nothing of bribery, are to be periodically drawn up and renewed; if government-favours, for which now, in some shape or other, the whole race of men are candidates, are to be called for upon every occasion, I see that private fortunes will be washed away, and every, even to the least, trace of independence, borne down by the torrent. I do not seriously think this constitution, even to the wrecks of it, could survive five triennial elections. If you are to fight the battle, you must put on the armour of the ministry; you must call in the public, to the aid of private money. The expence of the last election has been computed (and I am persuaded that it has not been over-rated) at 1,500,000*l.*; — three shillings in the pound more in the land-tax. About the close of the last parliament, and the beginning of this, several agents for boroughs went about, and I remember well that it was in every one of their mouths — "Sir, your election will cost you 3,000*l.* if you are independent; but if the ministry supports you, it may be done for two, and perhaps for less," and indeed, the thing spoke itself. Where a living was to be got for one, a commission in the army for another, a lift in the navy for a third, and custom-house offices scattered about without measure or number, who doubts but money may be saved? The treasury may even add money; but indeed it is superfluous. A gentleman of 2,000*l.* a year, who meets another of the same fortune, fights with equal arms; but if to one of the candidates you add a thousand a year in places for himself, and a power of giving away as much among others, one must, or there is no truth in arithmetical demonstration, ruin his adversary, if he is to meet him and to fight with him every

third year. It will be said, I do not allow for the operation of character; but I do; and I know it will have its weight in most elections; perhaps it may be decisive in some. But there are few in which it will prevent great expences.

The destruction of independent fortunes will be the consequence on the part of the candidate. What will be the consequence of triennial corruption, triennial drunkenness, triennial idleness, triennial law-suits, litigations, prosecutions, triennial phrenzy, of society dissolved, industry interrupted, ruined; of those personal hatreds, that will never be suffered to soften; those animosities and feuds, which will be rendered immortal; those quarrels, which are never to be appeased; morals vitiated and gangrened to the vitals? I think no stable and useful advantages were ever made by the money got at elections by the voter, but all he gets is doubly lost to the public; it is money given to diminish the general stock of the community, which is in the industry of the subject. I am sure that it is a good while before he or his family settle again to their business. Their heads will never cool; the temptations of elections will be for ever glittering before their eyes. They will all grow politicians; every one, quitting his business, will choose to enrich himself by his vote. They will all take the gauging-rod; new places will be made for them; they will run to the custom-house quay, their looms and ploughs will be deserted.

So was Rome destroyed by the disorders of continual elections, though those of Rome were sober disorders. They had nothing but faction, bribery, bread, and stage plays, to debauch them. We have the inflammation of liquor superadded, a fury hotter than any of them. There the contest was only between citizen and citizen; here you have the contests of ambitious citizens of one side, supported by the crown, to oppose to the efforts (let it be so) of private and unsupported ambition on the other. Yet Rome was destroyed by the frequency and charge of elections, and the monstrous expence of an unremitted courtship to the people. I think, therefore, the independent

candidate and elector may each be destroyed by it; the whole body of the community be an infinite sufferer; and a vicious ministry the only gainer. Gentlemen, I know, feel the weight of this argument; they agree that this would be the consequence of more frequent elections, if things were to continue as they are. But they think the greatness and frequency of the evil would itself be a remedy for it; that, sitting but for a short time, the member would not find it worth while to make such vast expences, while the fear of their constituents will hold them the more effectually to their duty.

To this I answer, that experience is full against them. This is no new thing; we have had triennial parliaments; at no period of time were seats more eagerly contested. The expences of elections ran higher, taking the state of all charges, than they do now. The expence of entertainments was such, that an act, equally severe and ineffectual, was made against it; every monument of the time bears witness of the expence, and most of the acts against corruption in elections were then made; all the writers talked of it and lamented it. Will any one think that a corporation will be contented with a bowl of punch, or a piece of beef the less, because elections are every three, instead of every seven years? Will they change their wine for ale, because they are to get more ale three years hence? Don't think it. Will they make fewer demands for the advantages of patronage in favours and offices, because their member is brought more under their power? We have not only our own historical experience in England upon this subject, but we have the experience co-existing with us in Ireland: where, since their parliament has been shortened, the expence of elections has been so far from being lowered, that it has been very nearly doubled. Formerly they sat for the king's life; the ordinary charge of a seat in parliament was then 1,500*l.* They now sit eight years, four sessions; it is now 2,500*l.* and upwards. The spirit of emulation has also been extremely increased, and all who are acquainted with the tone of that country, have no

doubt that the spirit is still growing; that new candidates will take the field; that the contests will be more violent, and the expences of elections larger than ever.

It never can be otherwise. A seat in this House, for good purposes, for bad purposes, for no purposes at all (except the mere consideration derived from being concerned in the public councils) will ever be a first-rate object of ambition in England. Ambition is no exact calculator. Avarice itself does not calculate strictly when it games. One thing is certain, that in this political game the great lottery of power is that into which men will purchase with millions of chances against them. In Turkey, where the place, where the fortune, where the head itself are so insecure, that scarcely any have died in their beds for ages; so that the bow-string is the natural death of bashaws, yet in no country is power and distinction (precarious enough, God knows, in all,) sought for with such boundless avidity, as if the value of place was enhanced by the danger and insecurity of its tenure. Nothing will ever make a seat in this House not an object of desire to numbers by any means or at any charge, but the depriving it of all power and all dignity; this would do it. This is the true and only nostrum for that purpose. But a House of Commons without power and without dignity, either in itself or its members, is no House of Commons for the purposes of this constitution.

But they will be afraid to act ill, if they know that the day of their account is always near. I wish it were true; but it is not; here again we have experience, and experience is against us. The distemper of this age is a poverty of spirit and of genius; it is trifling, it is futile, worse than ignorant, superficially taught; with the politics and morals of girls at a boarding-school, rather than of men and statesmen: but it is not yet desperately wicked, or so scandalously venal as in former times. Did not a triennial parliament give up the national dignity, approve the peace of Utrecht, and almost give up every thing else in taking every step to defeat the Protestant succession?

Was not the constitution saved by those who had no election at all to go to, the Lords, because the court applied to electors, and by various means carried them from their true interests; so that the Tory ministry had a majority without an application to a single member? Now as to the conduct of the members, it was then far from pure and independent. Bribery was infinitely more flagrant. A predecessor of yours, Mr. Speaker, put the question of his own expulsion for bribery. Sir Christopher Musgrave was a wise man, a grave man, an independent man, a man of good fortune and good family; however he carried on while in opposition a traffic, a shameful traffic with the ministry. Bishop Burnet knew of 6,000*l.* which he had received at one payment. I believe the payment of sums in hard money, plain naked bribery, is rare amongst us. It was then far from uncommon.

A triennial was near ruining, a septennial parliament saved your constitution; nor perhaps have you ever known a more flourishing period for the union of national prosperity, dignity, and liberty, than the sixty years you have passed under that constitution of parliament.

The shortness of time, in which they are to reap the profits of iniquity, is far from checking the avidity of corrupt men; it renders them infinitely more ravenous. They rush violently and precipitately on their object; they lose all regard to decorum. The moments of profits are precious; never are men so wicked as during a general mortality. It was so in the great plague at Athens; every symptom of which (and this its worst symptom amongst the rest) is so finely related by a great historian of antiquity. It was so in the plague of London in 1665. It appears in soldiers, sailors, &c. Whoever would contrive to render the life of man much shorter than it is, would, I am satisfied, find the surest receipt for increasing the wickedness of our nature.

Thus, in my opinion, the shortness of a triennial sitting would have the following ill effects; it would make the

member more shamelessly and shockingly corrupt; it would increase his dependence on those who could best support him at his election; it would wrack and tear to pieces the fortunes of those who stood upon their own fortunes and their private interest; it would make the electors infinitely more venal; and it would make the whole body of people, who are, whether they have votes or not, concerned in elections, more lawless, more idle, more debauched: it would utterly destroy the sobriety, the industry, the integrity, the simplicity of all the people; and undermine, I am much afraid, the deepest and best laid foundations of the commonwealth.

Those, who have spoken and written upon this subject without doors do not so much deny the probable existence of these inconveniences, in their measure, as they trust for their prevention to remedies of various sorts, which they propose. First, a place bill; but if this will not do, as they fear it will not, then they say we will have a rotation, and a certain number of you shall be rendered incapable of being elected for ten years. Then for the electors, they shall ballot; the members of parliament also shall decide by ballot; a fifth project is the change of the present legal representation of the kingdom. On all this I shall observe, that it will be very unsuitable to your wisdom to adopt the project of a bill, to which there are objections, insuperable by any thing in the bill itself, upon the hope that those objections may be removed by subsequent projects; every one of which is full of difficulties of its own, and which are all of them very essential alterations in the constitution. This seems very irregular and unusual. If any thing should make this a very doubtful measure, what can make it more so than that, in the opinion of its advocates it would aggravate all our old inconveniencies in such a manner as to require a total alteration in the constitution of the kingdom? If the remedies are proper in a triennial, they will not be less so in septennial elections; let us try them first; see how the House relishes them; see how they will

operate in the nation; and then, having felt your way and prepared against those inconveniences * * * * * * * * * *

The honourable gentleman sees that I respect the principle upon which he goes, as well as his intentions and his abilities. He will believe, that I do not differ from him wantonly, and on trivial grounds. He is very sure, that it was not his embracing one way, which determined me to take the other. *I* have not, in newspapers to derogate from his fair fame with the nation, printed the first rude sketch of his bill with ungenerous and invidious comments. *I* have not, in conversations industriously circulated about the town, and talked on the benches of this House, attributed his conduct to motives low and unworthy, and as groundless as they are injurious. *I* do not affect to be frightened with this proposition, as if some hideous spectre had started from hell, which was to be sent back again by every form of exorcism, and every kind of incantation. *I* invoke no Acheron to overwhelm him in the whirlpools of its muddy gulf. *I* do not tell the respectable mover and seconder, by a perversion of their sense and expressions, that their proposition halts between the ridiculous and the dangerous. *I* am not one of those, who start up, three at a time, and fall upon and strike at him with so much eagerness, that our daggers hack one another in his sides. My honourable friend has not brought down a spirited imp of chivalry to win the first atchievement and blazon of arms on his milk-white shield in a field listed against him; nor brought out the generous offspring of lions, and said to them — not against that side of the forest, beware of that — here is the prey where you are to fasten your paws; and seasoning his unpractised jaws with blood, tell him — this is the milk, for which you are to thirst hereafter. *We* furnish at his expence no holyday, nor suspend hell, that a crafty Ixion may have rest from his wheel; nor give the common adversary, if he be a common adversary, reason to say, I would have put in my word to oppose, but the eagerness of your allies in your social war was

such that I could not break in upon you. I hope he sees and feels, and that every member sees and feels along with him, the difference between amicable dissent and civil discord.

The House divided: Yeas 90: Noes 182. So it passed in the negative.

PROTESTANT ASSOCIATION — RIOTS.

June 6.

ON the 2d of June, Lord George Gordon presented the petition from the Protestant Association, praying for the repeal of the act lately passed in favour of the Papists. Above sixty thousand of the petitioners accompanied his lordship to the lobby of the House. Lord George said, he had before him a petition, signed by nearly 120,000 of his majesty's protestant subjects, praying for a repeal of the act passed the last session in favour of Roman Catholics. His lordship then moved to have the said petition brought up. Mr. Alderman Bull seconded the motion, and leave was given accordingly. The petition being read was ordered to be referred to the consideration of a committee of the whole House. Lord George Gordon then moved, that the House do now resolve itself into a committee, to consider of the said petition: this was seconded by Mr. Alderman Bull. Upon which a motion was made; and the question being put, that the House do now adjourn, it passed in the negative. Then the main question being put, the House divided: the Yeas were directed to go forth: but not being able to do so, on account of the tumultuous crowd in the lobby; and the serjeant at arms attending the House having informed the House, that it was not in his power to clear the lobby; the Speaker directed him to send for the sheriff and other magistrates of the county of Middlesex and city of Westminster, to attend the House immediately. And after some time, several justices of the peace of Middlesex and Westminster attending accordingly, they were called in, and directed by the Speaker to restore peace and good order. The House then divided:

Yeas 7: Noes 192. After which the House adjourned to the 6th, upon which day, notwithstanding the alarms of particular members on account of the multitude, about two hundred members attended in their places. Mr. Buller made several observations as well upon the alarming conduct of the populace, as the measures which had been taken by government to prevent the dangerous effects of the popular outrage; after which he moved some resolutions; one being an assertion of their own privileges; the second, for a committee to enquire into the late and present outrages, and for the discovery of their authors, promoters, and abettors; the third, for a prosecution by the attorney-general; and the fourth, an address to his majesty for the reimbursement of the foreign ministers, to the amount of the damages they had sustained by the rioters. Upon this occasion,

MR. BURKE * made a very animated speech upon the alarming and dangerous proceedings of the populace. He was extremely severe against those who were capable of misleading the people to such violent outrages against the laws and constitution of their country, as well as against reason, justice, and humanity, and he dealt his censure with vehemence against government, for that relaxed state of the police, which could no longer protect even legislature itself from violence and insult at their very gates. In short, he felt so much for the debased dignity of parliament

* "This day a detachment of foot-guards took possession of Westminster-hall, the doors of which they at last closed to prevent the mob entering there: several members of both Houses who walked down on foot were thus prevented from getting into the House for a considerable time, among whom was Mr. Burke, who was presently surrounded by some of the most decent of the petitioners, who expostulated with him on his conduct, in abetting Sir George Savile's motion for the Roman Catholic bill: Mr. Burke in his defence said, he certainly had seconded the motion for the bill, and thought himself justified in so doing; he said, he understood he was a marked man, on whom the petitioners meant to wreak their vengeance; and therefore he walked out singly amongst them, conscious of having done nothing that deserved their censure in the slightest degree, having always been the advocate for the people, and meaning to continue so. Mr. Burke at last got rid of his troublesome interrogators." London Chronicle.

at that moment, that he lost all temper, and bitterly lamented the fate of such times, when those who pretended to be the advocates of freedom, were establishing the most wretched slavery, and exhibited the unhappy prospect which was then at their gates — a bludgeoned mob, and an armed soldiery! He lamented in the most melancholy terms, the dreadful necessity that obliged the military power, the notorious bane of liberty, to be called in, to defend not only the freedom, but the very existence of parliament!

Mr. Fox also lamented the necessity of calling in the assistance of the military, which he attributed solely to the weak administration of public affairs. He reprobated, in terms equally as warm as those of Mr. Burke, the promoters of the riots; the violence of which would degrade us, he said, in the eyes of Europe; for the world would see, that those men who were at the head of administration, were incapable of governing the affairs of a state.

The resolutions were agreed to.

June 19.

An address of thanks, in answer to his majesty's speech respecting the riots, being this day moved,

Mr. BURKE took occasion to declaim with unusual vehemence against the authors and abettors of the late riots, whom he termed a set of deluded fanatics, and spoke in support of the bill they riotously petitioned against, as an act that was founded in the true wisdom of parliament, and therefore ought not to be repealed at the dictatorial requisition of a lawless rabble.

June 20.

The House resolved itself into a committee of the whole House, to take into consideration the numerous petitions against

the act of the 18th of his present majesty, intituled, "An act for relieving his majesty's subjects professing the popish religion, from certain penalties and disabilities imposed on them by an act made in the 11th and 12th of the reign of William the Third, intituled, An act for the further preventing the growth of popery." In order to quiet the minds, and to remove the apprehensions, of such well-meaning but ill-informed persons, as might be among the petitioners, the following resolutions were moved by Lord Beauchamp: 1. "That it is the opinion of this committee, that the effect and operation of the act passed in the 18th year of the reign of his present majesty, intituled "An act for relieving his majesty's subjects professing the popish religion, from certain penalties and disabilities, imposed on them by an act made in the 11th and 12th years of the Reign of King William the Third, intituled, An act for the further preventing the growth of popery," had been misrepresented and misunderstood. 2. That the said act, passed in the 18th year of the reign of his present majesty, does not repeal or alter, or in any manner invalidate or render ineffectual, the several statutes made to prohibit the exercise of the popish religion, previous to the statute of the 11th and 12th years of King William the Third. 3. That no ecclesiastical or spiritual jurisdiction or authority is given, by the said act of the 18th year of the reign of his present majesty, to the Pope or the See of Rome. 4. That this House does, and ever will, watch over the interests of the Protestant religion with the most unremitted attention; and that all attempts to seduce the youth of this kingdom from the established church to popery, are highly criminal according to the laws in force, and are a proper subject of further regulation. 5. That all endeavours to disquiet the minds of the people, by misrepresenting the said act of the 18th year of the reign of his present majesty, as inconsistent with the safety, or irreconcileable to the principles of the Protestant religion, have a manifest tendency to disturb the public peace, to break the union necessary at this time, to bring dishonour on the national character, to discredit the Protestant religion in the eyes of other nations, and to furnish occasion for the renewal of the persecution of our Protestant brethren in other countries." There was rather much discourse than debate upon the subject, very little having been said on the part of the petitions. The question was, however, solemnly, and very

largely spoken to, and with the greatest eloquence. The chief speakers were Lord North, Lord Beauchamp, Sir George Savile, Mr. Wilkes, Mr. Burke, and Mr. Fox. These two latter spoke for nearly three hours each. For the first time they all spoke on the same side; and supported the doctrine of toleration, on grounds much larger than those on which the bill complained of stood. The petitions from the different Protestant associations were supported with much vehemence by Mr. Alderman Bull.

Mr. BURKE reprobated the alderman's doctrine, and reflected upon him for his ignorance and want of erudition. He said, that the ablest arguments that ever were used, had that day fallen from the ablest men, and that they had been opposed by ignorance, falsehood, and fanaticism. He was called to order by Sir James Lowther, who said he had reflected in an unbecoming manner on the worthy alderman, and was deviating in an improper manner from the question. After some time Mr. Burke proceeded, and said, that the petitions had arisen from bigotry and fanaticism; that the church of England was struck at, and the crown itself, and he would defend both from the attempts and malevolence of such men. He went into a full account of the late riots; expatiated on the inhumanity of the mob; said that Mr. Langdale, with twelve children, had suffered to the amount of 50,000*l.*—he had laid in a great stock against the commencement of new duties—he had since been advised to go to Bath to relieve his mind—at his first arrival there, he was treated with the sight of the chapel at that place in flames—he was obliged to return to the Devizes. The inhumanity of fanatics, he said, was such, that after the destruction of the school near the city, a petition had been presented, desiring that the poor man, who owned it, might not have a lease of the land again to build another. He attacked the petitioners, and he read the names of several taken from thence with a mark—he threw others into ridicule, and he quoted, in a facetious manner, the names of several women—not being able to read and write themselves, these monsters were

desirous of preventing others from receiving education. He had been educated, he said, as a Protestant of the church of England by a dissenter; he read the Bible there morning, noon, and night, and was the happier and better man for such reading: he had afterwards turned his attention to the reading of all the theological publications, on all sides, that were written with such wonderful ability in the last and present century; at last he thought such studies tended to confound and bewilder, and he dropped them, embracing and holding fast the church of England. He went into a large field of reasoning on toleration; vindicated the Papists from the charges brought against them; and decried the baseness of Payne the constable, who, he said, had gone about, trying to find out matter to incarcerate for life, men against whom no complaint was made for any offence, other than saying their prayers in a language which he did not understand, but they did. He had imprisoned Mr. Malony, an honest and inoffensive man, but the humanity of the crown had released him: he had attempted to imprison Mr. Talbot, brother to the Earl of Shrewsbury, but had failed, very happily, in his proof. Mr. Burke stated, in a very long speech, the means taken to bring about all the mischief; he said it had happened by the zeal of wicked and abandoned men, who had gone about industriously misleading poor, ignorant, and deluded people: and concluded, by moving as a preface to the first motion, "That much industry had been used to misrepresent the intentions of parliament, &c."

The resolutions were agreed to, and Mr. Ellis moved the House, "That leave be given to bring in a bill to secure the Protestant religion in Great Britain from any encroachments of popery, by more effectually restraining Papists, or persons professing the popish religion, from teaching or taking upon themselves the education or government of the children of Protestants;" which motion was agreed to.

RUPTURE WITH HOLLAND.

January 25. 1781.

THIS day Lord North presented the following Message from his majesty:

"George R.

"His majesty has judged it proper to acquaint the House of Commons, that during the recess of parliament, he has been indispensably obliged to direct letters of marque and general reprisals to be issued against the States General of the United Provinces, and their subjects.

"The causes and motives of his majesty's conduct on this occasion, are set forth in his public declaration, which he has ordered to be laid before the House.

"His majesty has, with the utmost reluctance, been induced to take an hostile measure against a state, whose alliance with his kingdoms stood not only on the faith of ancient treaties, but on the soundest principles of good policy. His majesty has used every endeavour to prevail on the States General to return to a line of conduct, conformable to those principles, to the tenor of their engagements, and to the common and natural interest of both kingdoms, and has left nothing untried to prevent, if possible, the present rupture.

"His majesty is fully persuaded that the justice and necessity of the measures he has taken, will be acknowledged by all the world. Relying, therefore, on the protection of Divine Providence, and the zealous and affectionate support of his people, his majesty has the firmest confidence, that by a vigorous exertion of the spirit and resources of the nation, he shall be able to maintain the honour of his crown, and the rights and interests of his people, against all his enemies, and to bring them to listen to equitable terms of peace."

Lord North also presented, at the same time, the papers relative to the rupture with Holland. The titles of the papers being read by the clerk,

Mr. BURKE observed, that however light a war with the States of Holland might be in the opinion of some men, he was one of those old fools, who had not forgot the old fashioned idea, that going to war was, at all events, a very serious matter, a matter which nothing but great necessity could justify. He did not intend to trouble the House with his opinion on the war with Holland, because he was not yet sufficiently informed upon the subject; nor did he conceive from the heads of the papers just read, that he was likely to get the information necessary for him, and for the House, before they came to any decisive judgment upon what the king's ministers had done. He did not, if his ear had not been deceived, hear the clerk read the title of a Memorial which had been delivered by Sir Joseph Yorke in the year 1777, a memorial which he could not but consider as highly necessary to be laid before the House with the others. Though, for want of the proper information, the justice of the war, perhaps, could not be entered upon, yet there were other considerations well worth the attention of the House: the question struck him as a prudential question, for circumstanced as we were, the prudence and the policy of the war were not less important points to be examined than its justice. He hoped, therefore, since ministers had reduced parliament to the alternative either of supporting the war, or of becoming liable to the charge of abandoning the cause of their country, that they had ample proof to lay before the House, that the war was prudent, and that it was unavoidably necessary. The manifesto stated, that a treaty was entered into between the city of Amsterdam and America; this was a fact which lay with ministers to make out. The treaty, the title of which the clerk had just read, as the title of one of the papers, was, in the express terms of it, the plan of a treaty, or the rough draft of a compact hereafter to be entered into between the intended contracting parties. He wished to know, whether the king's servants had, either among Mr. Laurens's papers, or by any other means, obtained a copy of any treaty actually

entered into and executed? The treaty, the title of which had just been read, depended entirely upon events that were unknown and might not happen, in which case the treaty was never to be ratified. This treaty, therefore, was no more than a speculative essay, a mere contemplative project. He should reserve his sentiments upon the message till a future day; but he could not avoid reprobating the late long adjournment of parliament, as a matter highly criminal in ministers, who, as they must have known that a war with Holland was likely to take place, ought not to have adjourned, or but for a very short period. How that adjournment came to be for so long a time, and why so material a circumstance as a declaration of war with Holland was ventured on by ministers during a recess, when there was the strongest reason for them to have kept parliament in hand, was a matter which would be well worth a future enquiry.

Lord North then moved an Address of Thanks to his majesty; upon this a debate arose, in the course of which,

Mr. BURKE lamented the dreadful situation into which this country had been plunged by the folly and ignorance of ministers. He asked what was the reason we were at present without an ally? This was owing to a spirit of arrogance in our councils. The consequence was, that after Holland, we should have Russia and all the other armed neutral powers against us. In the natural course of things, that which carried an evil aspect turned out often to be beneficial in its consequence. Peradventure, added he, this armed neutrality, hostile in appearance to Great Britain, might in case of extremity interpose and raise up its friendly arm to support her from sinking, and to preserve the proper balance of power: but now that we had rushed on precipitately to attack one of these armed powers, the others, connected together by the same treaty and alliance, would soon follow. Holland might be considered, from her situation and other circumstances, as a

kind of general market, in which all the kingdoms of Europe were more or less connected. Her commerce was a kind of commercial neutrality; and so enlarged were her views, as not only to supply other nations at war, but even her own enemies, with warlike articles, to be employed against herself. The cause, therefore, of a nation, considered as so universally useful, would be a common one. He could not, he said, give his approbation of a war big with such dreadful consequences, without having more information before him.

MR. FOX'S MOTION RELATIVE TO THE APPOINTMENT OF SIR HUGH PALLISER TO THE GOVERNMENT OF GREENWICH HOSPITAL.

February ∗

THIS day Mr. Fox made his promised motion relative to the appointment of Sir Hugh Palliser to the government of Greenwich Hospital. The clerk of the House having at his request read the copy of the charges exhibited by Sir Hugh against Admiral Keppel, the sentence of the court-martial on those charges, the charge and sentence of Vice-Admiral Palliser's court-martial, Mr. Speaker Norton's speech on delivering the thanks of the House of Commons to Admiral Keppel and the answer made thereto by the Admiral, Mr. Fox rose, and concluded a most able speech with moving, "That the appointment of Sir Hugh Palliser to the government of Greenwich Hospital, who, by a sentence of a court-martial, is declared to have preferred a malicious and ill-founded accusation against his commander-in-chief, is a measure subversive of the discipline, and derogatory to the honour of the British navy." The defence of Sir Hugh Palliser was taken up by Lord North, who proposed various amendments to Mr. Fox's motion, until at length it was moulded with no small difficulty, into the following form: "That the appointment of Sir Hugh

Palliser to be governor of Greenwich Hospital, who, by the officers who sat on the court-martial held for the trial of Admiral Keppel, and before whom Sir Hugh Palliser was not charged with any malice in the accusation of the said admiral, or heard in his defence, is declared to have preferred an ill-founded accusation against his commander-in-chief, and whose conduct on the 27th of July, 1778, by a subsequent court-martial, was, after a full examination, declared to be in many respects highly exemplary and meritorious, and who has, during the course of forty-five years, served the crown, both in his civil and military capacity, with great ability, bravery, and fidelity, was a measure totally subversive of the discipline, and derogatory to the honour of the navy." The question was taken up with great vigour, and obstinately maintained on both sides. Mr. Fox was powerfully supported by Mr. Burke, Lord Howe, Admiral Keppel, Mr. Thomas Townshend, and Mr. Dunning. In the course of his speech, Sir Hugh Palliser observed, that he was glad to see an honourable gentleman (Mr. Burke) opposite to him, who was lately returned to his seat, as he had something to say which he should have been unwilling to mention behind his back. He had been told, that on a former occasion, whilst he was overwhelmed with injustice and oppression, and driven to a state of despair and adversity, the honourable gentleman had proposed that an ample pension should be settled on him, to enable him to live comfortably in retirement. This he considered as the most indignant insult which one man could offer to another in his then situation. He considered it as a bribe held out to him to sacrifice his own honour, to subscribe to his own guilt, though he knew himself innocent, to tempt him to avoid a fair trial, and thereby to conceal from the public truths which they had a right to know. But rather than accept such a proposal, he would submit to be reduced to stand at his own gate, and beg from every traveller that pased, except indeed the honourable gentleman who was capable of making so indignant a proposal should pass; for from him he would not, even under the severest extremity of wretchedness, deign to receive assistance. Yet he would thank the honourable gentleman for one thing he had said, which was, that if Sir Hugh Palliser was obstinately bent on having a trial, he solemnly washed his hands of the poor gentleman's blood, but he would take care it should not be a sham trial; for this, Sir Hugh said,

he returned thanks, for he thought that it added lustre to his acquittal.

Mr. BURKE said, he never rose in that House without some pain, being perfectly conscious that however pure his intention might be, and however great his zeal to serve his country, he was but little entitled to trouble the House, and rarely made them amends for the attention with which they honoured him; but if his uneasiness was at any time of his rising peculiarly painful to him, it was so most of all, when he had occasion to speak upon so miserable and insignificant a subject as himself. Such, however, was his situation at that hour, that he was under the necessity, the indispensable necessity, of troubling the House upon the singularity of what had happened to him. Before he came into that House, (out of which, God knew, he was extremely willing to have continued, had his friends been of the same opinion that he entertained *,) he had heard that the noble lord in the blue ribbon, in the course of a debate which had taken a turn towards the very topic at that moment under the consideration of the House, had done him the honour to allude to some words supposed to have fallen from him in a debate two years since, and which words were the cause of the expressions of anger used against him by the honourable vice-admiral opposite to him in one part of the speech. He stood thus singularly circumstanced: the noble lord, professing to defend the vice-admiral, and professing to pay a compliment to him, had held up his supposed words, as a proof of his liberality and benevolence towards the vice-admiral, and as a proof of his persuasion of that gentleman's

* At the general election which took place in September 1780, Mr. Burke finding that his support of the Irish Trade Bills, and his voting on Sir George Savile's bill in favour of the Roman Catholics, had displeased a great part of his constituents, declined standing for Bristol, and took his seat, in the new parliament, for Malton. For his speeches at Bristol previous to the election, and on declining the poll, see Burke's Works, vol. iii. pp. 333. 429.

merit and claim to reward from the crown. Such was the comment, and such was the construction put upon his phrases by the noble lord; those very phrases, which the honourable vice-admiral spurned at, and declared he felt "to be the most indignant insult that could be offered him, because it was a bribe held out to him to sacrifice his own honour, to subscribe to his own guilt, though he knew himself innocent, to tempt him to avoid a fair trial, and thereby to conceal from the public truths which they had a right to know." The honourable vice-admiral had gone farther — had said, he would sooner be reduced to the necessity of begging his bread at his own door, than accept this bribe, and would sooner die in a ditch than deign to receive his charity.

In answer to all this, Mr. Burke assured the honourable vice-admiral he had totally mistaken his meaning: whenever he intended to act in the manner the vice-admiral had conceived, first of all he would take care that both his bribes and his charity should be offered in private. He would neither propose the one in a popular assembly, nor administer the other in the public street. As little did he mean to give the House to understand, as the noble lord in the blue ribbon had chosen to interpret, that he thought Sir Hugh Palliser worthy of a reward. God knew, he had not an idea of either bribe or reward! How ridiculous must it appear in him to talk either of bribes or rewards; the house well knew he had it not in his power to bestow either. He had no such power at the time alluded to any more than at present: the noble lord in the blue ribbon was perfectly aware of this; the noble lord knew where the power lay, and who it was that was best able to tempt by a bribe, or to gratify by a reward; else whence the majority that attended the noble lord when he divided upon the question started by his honourable friend who made the motion respecting Sir Hugh Palliser two years ago? The first idea, for the reasons he had stated, had never once entered his thoughts; the second, neither at the period of time that passed between the trial of his honourable, his worthy, his

dear, and truly respectable friend, Admiral Keppel, and the trial of the honourable vice-admiral who spoke last, had ever suggested itself to him, because he knew that a man who had been declared by a court-martial to have preferred a malicious and ill-founded accusation against his commander-in-chief, was not by any means to be regarded as the object of personal honour or of pecuniary reward, however the mortifying, the low, the abject state into which he had suffered his passions to plunge him, might give him some claim to private pity. The honourable vice-admiral's situation had excited his compassion; the honourable vice-admiral might reject his sympathy, but he could not prevent him from feeling that sentiment.

But to what, said Mr. Burke, are the counsels, debates, arguments, and reasonings of this House arrived, when a proposal of mitigation of punishment, when emotions of pity are construed into a proof of the innocence of a person declared to be a false and malicious accuser, or into a bribe to induce him to acknowledge his guilt by silence under a sentence coming from the first authority, and which no subsequent trial can possibly weaken the force of! The honourable vice-admiral had boasted of his having gone singly and alone into the middle of the French fleet, and of his having fought his way to the end of their line. No one subject that had ever in the whole course of his life challenged his notice had been studied by him with so much attention and so much care as the transactions of the 27th of July, because the honour and the life of the dearest friend he had on earth, made those transactions of the most serious importance to him; and whenever so exalted, so virtuous a man, a man for whom he felt the most ardent esteem and the warmest friendship, was put into a situation of danger, and his life set upon the hazard of a trial, he felt himself irresistibly impelled to give him every possible countenance and support, (though the support of conscious virtue was all that Admiral Keppel needed, and, God knew, no man possessed conscious virtue in a higher degree!) and to share personally with him in the perils of the

conflict, and in the disgrace or honour of the event. He had not only been present at the trial, and listened to the minutest particular of the evidence with the most attentive ear, but he had read every syllable that had come from the press upon the subject, that bore any thing like the stamp of authority. He had perused the three trials over and over, in order to make himself completely master of the subject; he could therefore with the fullest confidence assert, that the charge brought against his noble and worthy friend was malicious and ill-founded. What was the charge in one part but a charge of negligence? A charge of negligence urged against Admiral Keppel, the most diligent of all men! But the honourable vice-admiral had said, that he sailed singly and alone into the midst of the enemy's fleet; inferring from that, that he was neglected and intended to be sacrificed. In order to prove to the House what had been before proved to the satisfaction of the court-martial, namely, that this assertion was altogether ill-founded, Mr. Burke said, he would read an extract or two from the trial, shewing, that so far from the Formidable being left alone in this perilous situation, as the honourable vice-admiral would have the house imagine, the Formidable was followed so closely by some ships, and led on by others, that it was with the utmost difficulty mischief was prevented, either from the ships running foul of each other, or one or other of them receiving the fire of those that were nearest.

Mr. Burke here took up the printed copy of Admiral Keppel's trial, and read extracts from the evidence of Captain Laforey, who then commanded the Ocean; Sir Richard Bickerton, captain of the Terrible; Captain Maitland, of the Elizabeth, and other officers, in order to shew that the Formidable was at one time so situated, that one ship was obliged to bear up, and shoot a-head of her, another to backen her mizen top-sails, to prevent coming on board her, and that another slackened her fire, because, had she continued it, she must necessarily have fired directly into her. Mr. Burke dwelt on the result of these extracts for some time, and said it thence was evident, that so far from

the Formidable being left alone, she was jammed in among a crowd of ships, that were at hand to support her; but even if it were true, that the admiral had rushed like a lion singly and unsupported amidst the French fleet, and after he had passed them, had turned back again with the fury of a British bull-dog, as his honourable friend — he begged pardon — the honourable officer — (for when he was to choose which he was to adhere to as his friend in future, the honourable commodore, who had thought proper to go into new connections, connections with those who had nearly ruined their country, or the honourable admiral, the object of his esteem, his respect, and his admiration, he had no difficulty in making his election) — but if the vice-admiral's conduct had been such as the honourable commodore had described, what would be the true colour of it? It would be brave, it would be daring; it might have entitled a young officer to great praise on the score of his courage, but would it have reflected any honour on the vice-admiral as a commander, and as the leader of a division of a great fleet? Let the House consider the essential difference between the one character and the other. Let them consider that what would become the first, would greatly misbecome the second; that prudence and skill in a commander are as essential as personal courage; to rush singly into battle with impetuous fury, without having taken measures to be properly supported, neither shewed great skill nor great prudence. If the vice-admiral, therefore, had been warranted in claiming the sort of merit which he had assumed, and which he trusted he had proved did not belong to him, even then he must, from his own shewing, appear to the House to have acted in a manner not consistent with his duty as commander of the blue squadron.

Mr. Burke next went on to an examination of the sentence of the court-martial which tried Admiral Keppel, and endeavoured to prove that the court had not only acquitted the admiral unanimously, but that they had also unanimously given it as their opinion, that the charge was ma-

licious and ill-founded. In order to do this, he read the sentence, and divided it logically into the premises and the conclusion. He said, the part of the sentence which stated that the court "having heard the evidence, and maturely and seriously considered the whole, are of opinion that the charge is malicious and ill-founded: it having appeared that the said admiral, so far from having, by misconduct and neglect of duty, on the days therein alluded to, lost opportunity of rendering essential service to the state, and thereby tarnished the honour of the British navy, behaved as became a judicious, a brave, and experienced officer," was undoubtedly the premises, or the ascertained facts; from the whole of which they deduced the consequence, or conclusion, expressed in these words: "The court do therefore unanimously and honourably acquit the said Admiral Augustus Keppel of the several articles contained in the charge against him, &c." It was impossible, he contended, to separate the one from the other, because, in fact, such a separation would be to make downright nonsense of the whole, or to falsify the conclusion, which, beyond all dispute, as the main part of the sentence, could have no foundation but in the premises, and must be vitiated and impeached in proportion as the premises were vitiated and impeached. If the premises were general and co-extensive to the accused and the accuser, the epithets of force used in the conclusion must be equally general and equally co-extensive.

Having put this argument with wonderful ingenuity, and reasoned upon it with that splendour of ability which Mr. Burke was peculiarly gifted with, he indulged himself rather in a ludicrous than a serious refutation of the arguments that had been used, not only to prove that Sir Hugh was not declared to have preferred a malicious and ill-founded accusation by the unanimous opinion of the court-martial which tried Admiral Keppel, but was honourably acquitted by his own court-martial. The grounds of argument rested on by Mr. Miller were the chief objects of Mr. Burke's irony. He said, that gentleman had very ingeniously shown the

House a new mode of argument; he had held, that unanimity was liable to suspicion; that a bare acquittal was at least equal to an unanimous and honourable acquittal, but that an acquittal, accompanied with censure, was much better than either a bare or an unanimous acquittal. The honourable gentleman had stretched his argument within a short, a very short limit of its extremity; he had only to have added, in order to have completed his own climax, that a condemnation was best of all, and that on the same principles that had governed his other positions, namely, that "an acquittal by a majority was better than a rash and good-natured unanimity." If this new doctrine were subscribed to, he, for one, was ready to admit that Sir Hugh's acquittal was much more honourable than that of Admiral Keppel. But as the House was, or at least ought to be looked up to, as a solemn and august assembly, and as the present subject of discussion would probably be regarded without doors, both now and hereafter, as a very serious parliamentary topic, a topic on the disposal of which the future prosperity of the navy of England depended, he hoped the House would not be led away from the true state of the argument, by distinctions more remarkable for their ingenious absurdity, than for their solidity, power of conviction, or alliance to fair reasoning.

He next adverted to the sentence of Sir Hugh Palliser, and the comments that had been made upon it by the noble lord in the blue ribbon, and other gentlemen. He added the declaration of Admiral Keppel's court-martial, respecting the vice-admiral, to the part of the sentence of that of Sir Hugh, which pointed out the vice-admiral's misconduct, and said, the result of the two in the scale of censure, was, that the vice-admiral had been guilty of three distinct acts of misconduct; Admiral Keppel's court-martial had given it as their opinion, that he had preferred a false and malicious charge, and his own court-martial had charged him expressly with having been guilty of neglect of duty, in having omitted to inform the commander-in-chief of the state of the Formidable by the Fox frigate.

The part of the sentence of the court-martial which tried Admiral Keppel, had been declared extrajudicial. That was not the question before the House. Had not the court or courts, perfectly competent to pronounce such an opinion, declared the charge to be malicious and ill-founded? Could any man deny that the court had declared so? Would any man avow that the honour and veracity of the court was in any degree questionable? What, then, was the amount of the declaration, that the sentence of Admiral Keppel's court-martial, inasmuch as it censured vice-admiral Sir Hugh Palliser, was not only extrajudicial and unwarrantable, but a libel? And here he wished the House to consider that libels derived their power of virulence, of venom, and of effect, in proportion to the degree of weight with which they were committed to circulation; a parliamentary libel must necessarily be the worst of all libels; that House, therefore, ought to pause at the threshold, to consider where they were going, and to consult their reason, whether it was consistent with their dignity, agreeable to truth, or wise in itself, to adopt the libel suggested against Admiral Keppel's court-martial, and give it their countenance.

He next went into a consideration of the arguments held by Commodore Johnstone. He particularly defended Admiral Keppel for having forgiven the vice-admiral at first, and for having acted consistently with that forgiveness afterwards. He said, that Admiral Keppel could not do otherwise than sail a second time with the vice-admiral of the blue, after he had once made up his mind to the forgiving and overlooking his misconduct on the 27th of July, a day which he was ready to acknowledge, was not a day of triumph to this country; but then the question naturally arose, — to whom was it ascribable, that it had not been a day of triumph and a day of glory? The fault must lay either at the door of his dear and honourable friend Admiral Keppel, or at the door of the vice-admiral. Where were the injured people of England to look for evidence and conviction of the fact, but to the sentences of the two

courts-martial? Sentences delivered on oath by men of high honour, unimpeachable integrity, and undoubted knowledge of the subject. What said the court-martial that tried Admiral Keppel? Had they not acquitted him honourably and unanimously, and declared the charge malicious and ill-founded? Did the court-martial that tried the vice-admiral acquit him honourably and unanimously? No. They pronounced a very different judgment; they expressly condemned him, and declared him guilty of misconduct. The people of England therefore must see where the blame was due.

Mr. Burke ridiculed Commodore Johnstone's assertion, that if his father, his brother, his son, or his dearest friend, was guilty of misconduct or neglect of duty, he would punish him agreeably to the laws of the service. This was fine theory and good doctrine in speculation; it sounded well, but it signified nothing; every man's heart must tell him that it was not in human nature to carry such theory rigidly into practice. A thousand reasons would naturally suggest themselves, every one of them tending to the honour of Admiral Keppel, and tending to prove his noble-mindedness and generosity in forgiving Sir Hugh Palliser's first neglect, and in sailing with him a second time: but if no other were to be found, than an expectation that such lenient treatment would operate on a generous mind, so as to produce more care in future, and inspire an anxiousness to expiate past errors by present good conduct; that alone was a reason sufficiently strong to bear out the matter in question. With regard to the public illuminations, he knew as well as the honourable commodore, that the people did not rejoice because the trial proved that the 27th of July was a day of triumph to Great Britain. No: they rejoiced because they saw that a gallant officer, a worthy and an honest man, had escaped from the malice of his accuser; because so respectable, so excellent a public character, was acquitted with honour; and because generosity, sincerity, and virtue had gained a victory over malice, treachery, and meanness! These, and these only,

were the causes of the public illuminations and rejoicings; and what honest Englishman was there, whose bosom would not expand with the most exalted rapture on such an occasion? He concluded with declaring, that the motion as originally moved, had his hearty assent.

The debate continued till two in the morning, when the House divided on the Amendment proposed by Lord North: Yeas 214: Noes 149.

MR. BURKE'S BILL FOR THE REGULATION OF THE CIVIL LIST ESTABLISHMENT.

February 15.

NOTWITHSTANDING the rejection of his Bill of Reform in the preceding session, Mr. Burke resolved to bring it forward again in the present. Accordingly, on the 15th of February, in pursuance of this determination,

Mr. BURKE rose, and previous to his entering on the subject of his intended motion, moved "That the entries in the Journal of the 6th of April, 1780, be read." They accordingly were read as follows: "Resolved, that it is necessary to declare, that the influence of the crown has increased, is increasing, and ought to be diminished:" and also "That it is competent to this House to examine into, and to correct abuses in the expenditure of the civil-list revenues, as well as in every other branch of the public revenue, whenever it shall appear expedient to the wisdom of this House so to do:" and also "That it is the duty of this House, to provide, as far as may be, an immediate and effectual redress of the abuses complained of in the petitions presented to this House from the different counties, cities, and towns, of this kingdom."

This being done, he proceeded to state to the House his occasion for renewing this important business. These resolutions, which had been made in the last session of the last parliament, he considered as a valuable legacy bequeathed to the public, and an atonement for the criminal servility which had marked and stigmatized their previous conduct. Even in their present form they were something more than declaratory; they formed a title, and a body of maxims authorising the people of this country to expect from their present representatives that which is declared to be necessary by their predecessors. They were incomplete, indeed, in their present form; they wanted specific conclusions to give the effect and benefit which they held out. It remained for the present parliament to accomplish and fulfil what the other had but begun, that the resolutions, which had been read, might not stand upon the Journals public monuments of their disgrace. He had intimated to the House, that on this day he intended to renew the important consideration of this business, and offer to them propositions for carrying into effect the resolutions which had been read. He had chosen that day, as it was appointed for the second call of the House, from the prospect of a full attendance; and he was happy to see that his expectations were not frustrated. He would not on the present occasion trouble them so long, by entering so fully into the merits and practicability of the proposed reform as he did the year before; because he was well convinced, that every part of the House was now in full possession of his ideas on the subject. These resolutions were the result of a long, deliberate, and sober debate, when the House was well attended, and when a spirit pervaded every corner of the place which was friendly to reformation and economy. They did not originate in that House; the spirit came from abroad; they came from the high and towering mountain of public spirit, initiated by suffering, and aroused by necessity. It was that spirit which had piled up heaps of complaints and petitions on their table, and had pointed out to them what was necessary and what was looked for.

In consequence of this burst of public opinion, the House became virtuous and wise; they attended their duty without any influence of grace, or treasury document in their pockets; and adopted the spirit which their constituents had inspired.

On coming into this parliament, therefore, the first thing which had struck him as his duty, was the famous resolutions which had been made in consequence of that spirit; and he had, soon after he came amongst them, given notice of his intention of moving, on that day, for leave to renew the business. This was the purpose with which he rose, and he entertained the confidence of meeting with men, in the new parliament, who would consider it as their duty to go hand in hand with him in carrying into execution the wishes of the people; those wishes which had been delivered in thunder and lightning, and which they now expected to see carried into fruition. It being admitted that a speedy and effectual redress was necessary, there could be no excuse nor apology for not carrying it into execution. The wisdom and power of the present parliament were the foundations on which public confidence could rest. The wisdom and the power were all that could be conceived to be necessary to the accomplishment of this business. The wisdom and the power of parliament were adequate to all the purposes of national security, economical government, and public respect. They would not for a moment believe that parliament wanted integrity to adopt what its wisdom suggested, and its power could execute. They would not believe, that they wanted inclination to satisfy the minds of the people, to attend to their legal petitions, to hear and to enquire into the truth of their complaints, and to grant them the full redress of every actual grievance. They would not give harbour to such a suggestion, until they could reason from experience; and not thinking, therefore, that their representatives wanted integrity, they trusted every thing to their power and their wisdom. The people from every part of the country had declared, that economy and retrenchment were requisite to the existence of the state, and

they considered it as a measure that ought to be adopted. He was happy that in the course of his studies, (if any thing to which he applied himself might be allowed to claim the distinguished appellation,) he should have met the public spirit and the public voice on its way. Their ideas had been the same, and therefore he thought himself justified in signing the petitions, and in offering to the consideration of the House such thoughts as arose in his mind on the subject. The people had applied to the House, and though they had not agreed in any one system of complaint, or plan of reform, yet they had all stated either errors or calamities in the administration of government, and expence, which certainly ought to be rectified, although they did not agree in the means. He had not gone along with them in all their ideas, because he did not conceive that they were all practicable or proper. Something good there was in all the petitions; and though they had prepared various plans, and had differed about the mode of redress, there were two things in which they had all agreed; and those were, that retrenchment and economy were necessary, and that the influence of the crown was become dangerous, and alarming in its extent. The last object was of the most serious importance; for it was by means of this influence that profusion and extravagance were increased. It was the creating and created power; influence and profusion were mutually dependent on each other, and by their joint force and assistance were supported and increased. They declared the necessity of diminishing that influence, which had rendered the two Houses of parliament accessary to the power of the crown, instead of being a balance against it.

It was the duty of a wise legislature to listen to the applications and the complaints of the people. Like the skilful physician, they were to feel the pulse of the patient, and having discovered the seat and the nature of the disorder, they were to apply the remedy. They were not to withhold it, because the people were patient under suffering; or because they were clamorous. They were to

study the temper, to look into the constitution and the state of the governed, and, watching their motions, they were to apply the remedy at the proper season. When the petitions were presented to the House, there were general meetings of the people in every county and city of the kingdom; they were legal and grave in their deportment; they were peaceable and loyal: some men in that House had pretended to charge them with illegality in their proceedings; that their meetings tended to disorder and convulsion; and were unwholesome, and unfit to be suffered. Without entering into any refutation of a charge which he considered as ill-founded and ridiculous, he would only say, that whether they were so or not, it became a wise and prudent legislature to attend to the reality and the body of the complaint, and not to the form or the irregularity in which it was made. This was their duty as well as their prudence and policy; and in attending to this, they would choose rather to dissipate complaint by removing the evils, than by correcting the heats arising therefrom. The difference between a wise and an intemperate government was, that the one administered justice in mercy, without being influenced by the petulance, or disturbed by the clamours of the subject; it was not heated by the violence of resentment, nor rendered severe and obdurate by the patience of suffering. An intemperate government, on the contrary, entered into all the heats, alarms, and suspicions of the people; they whipped the infant till it cried, and whipped it for crying. When the people were submissive, the government was cruel; when they were violent, it was cowardly.

In consequence of the petitions laid upon their table, two attempts had been made to carry into execution the wishes of the people. An honourable friend of his (Colonel Barré) had introduced a plan to correct the abuses in the public expenditure, by which the money would be brought to a more speedy account, and be applied more economically to the public service. This plan, founded in wisdom and the fairest probability, was superseded by a scheme of the noble lord in the blue ribbon, who thought that a tri-

bunal erected by himself, dependent on himself, and paid by himself, would answer the purpose of correcting the abuses complained of, better than any other system of regulation: and by this hopeful expedient he took from parliament their ancient, hereditary, inherent right of controuling and checking the public expenditure. He trusted, however, that the House had divested themselves of this right but for a time, and that they would, on reflection, see that they had parted with a great constitutional benefit, for a chimerical, unsubstantial good. He reprobated the conduct of the noble lord in this respect, as at once delusive and ungentleman-like. The second attempt to carry into execution the wishes of the people, had fallen upon his shoulders; it was a plan for an economical reform of many abuses in the civil department of government, and for retrenching the influence of the crown, maintained by the emoluments of useless offices, and of unmerited pensions. The House knew the circumstances and the fate of that plan. It consisted of five bills, two of which were allowed to be printed, and consequently the young members, as well as the old, were acquainted with them. The first was a bill for an economical reform of the public expence, by abolishing useless offices and unmerited pensions. The second was a bill for the better regulation of the civil-list revenue and expenditure. These two were printed and known. The other three were objects of the same nature, all forming parts of the comprehensive plan of general reform. His object was twofold; a saving in the public expences, and a reduction of the influence of the crown.

This reform he endeavoured to effect, not arbitrarily, piece-meal, and at random, but upon certain principles by which the different particulars, in which he endeavoured to effect a reformation, would be connected into one system, which should grow up by degrees to greater perfection, and be productive of still increasing benefits. He conceived that it was necessary to rescind unmerited pensions, to abolish useless places both in the court and in the state, and to inspect and controul the whole civil list. By the

scheme he had proposed, there would arise a saving to the public of 200,000*l.* annually, at least. But what he valued more than all this saving, was the destruction of an undue influence over the minds of sixty members of parliament in both Houses.

The minister was pleased to receive the proposition with approbation. He paid compliments to the principle, and opposed it by detail. At first, crowded houses were seen in every stage of the business, and there was an appearance of conviction on the minds of men: they had no objection to the abstract and general propositions, but when they came down to specific reform, they left him and his cause. The squeamishness of the House was such, that after swallowing those parts of the plan for which something might have been said, in respect to the use, the shew, the antiquity, or the respect, they objected to others, for which the most ingenious advocate could not advance an argument. They first dwindled off from one question, and then silently stole away from another, till at last the whole was permitted to moulder and shrink imperceptibly from the view, and he was obliged, after much fatigue, and no success, to give it up, with the mortifying reflection, that his own labours, and those of the House, had produced no benefit to his country.

He was fully aware that there were only two causes that could contribute to the success of a general plan of reform. The first and the most natural and easy was the approbation and the support of the minister. When public reform became a measure of state, and the sovereign was interested in the retrenchment of extravagance, then it became easy and secure. The other cause and occasion of success was the spirit and the perseverance of the people: when they displayed the grave and rigorous spirit of determination, and soberly applied to their representatives for the reform, which they conceived to be necessary; then it was reasonable to expect that their virtuous resolution would communicate vigour to their representatives, and animate them to their duty.

He thought it necessary to state this to the House, as a justification of himself in bringing forward the plan; for nothing could be so ridiculous and romantic as a reformer without probability and prospect. He stated, therefore, those two grounds to justify the prudence of his attempt; since, though he was not assisted by the approbation of the minister, he was seconded and supported by the spirit and perseverance of the people. At that time he was so entrenched by the petitions of the people, that he could not raise his eyes and discover the enemy that lay on the other side; now, indeed, the entrenchments were removed, the breast-work was taken away, and the enemy might view him from the top of the head to the buckles in his shoes, and he could see his enemy arrayed and armed against him. The question therefore was, whether, though it was right in the first instance, so defended, and so supported, it was right now? Whether he committed a rash and imprudent act now in bringing forward the same plan again? He asserted, that there was no imprudence in the undertaking, because there was no change in the opinion of the people. Their sentiments were undoubtedly the same, though they had not renewed their applications to the House. They might entertain the same notions of the necessity, of the expediency, of the virtue of such a reform, though they had not in the same anxious and eager manner presented their ideas upon it to the House. He believed that many gentlemen present were well convinced of the temper and the inclinations of their constituents: and though some noble lord, with a blue ribbon, on the other side of the way, remarkable for his wit and humour, might be inclined to indulge his disposition on the present occasion, and exclaim, "A fine mover of a popular bill; you who were rejected by your old constituents, and by all the people of England at a general election, and who owe your seat to my courtesy; you, to be sure, must be a fine mover of a popular bill!" From this insinuation it might be argued, that the people of England were disinclined to the reformation proposed; that his old constituents, in par-

ticular, had evidently shewn their sentiments to be averse to the bill; because, if they had approved of his conduct, they would have chosen him again to represent them. To this he must answer, that it was very true he was rejected by his old constituents, and that he had not been chosen at the general election; but he denied the inference, though he felt the humiliation. "I do not think," said Mr. Burke, "because my old constituents have not made choice of me, the people of England have rejected the bill." His old constituents might wish to have this business transacted by a man of more ability and more authority than himself, and so might the people of England, and so did he. He came there humbled, but not dissatisfied; humbled, but not depressed. Though his old constituents had not thought proper to return him; yet, as he was come back to that House, he should think it his duty there, as well as in every situation in which Providence should be pleased to place him, to act agreeably to the sentiments of obligation and rectitude. Humbled as he was, he wished not to have been the author of the renewed bill: but a spirit of politeness, which usually prevailed, and which had never been violated but in one instance, and which he hoped would never be violated again, had prevailed on gentlemen to lay the task upon him, because he had been the original mover of the business.

He begged leave to say, that though the people had not renewed their complaints, they had not rejected the bill. Their ideas were the same, both of the necessity and the advantage, and in some instances they had expressed their desires. They had sent deputies to town to concert measures for attaining these measures; they had recommended them as instructions to their representatives; and he himself had been honoured with an application from the county of Devon, requesting him to renew the attempt: and there he was, in obedience to their desires, recommencing the efforts which he had fruitlessly made the former year in the service of those for whom his best services were due. He had made no alteration in the plan:

he meant, if the House would give him leave, to bring it forward in the same frame, that he might have room for all the wisdom and all the virtue of that assembly, to carry on and perfect the rude sketch of the reformation proposed. He most sincerely wished that the noble lord in the blue ribbon would take the matter from his hand, and conduct it through parliament. He would rejoice at the change, since he did not solicit the honour, but the advantage of the plan. If the noble lord, with his shining weapons, would fight the battles of the people, and secure the benefits, if not of the triumphs of wisdom, he would gladly court the shade, sequestered from ambition and popularity.

It might be asked with propriety, whether the necessity was less now than it was before? Certainly not. Had the people, then, abandoned the bill, because they had been silent? Certainly not. Many causes might contribute to their silence. It might be owing to the respect which they entertained for an untried parliament. They might conceive, that as the necessity was pointed out to them, and the duty, the means might be safely left to their wisdom, integrity, and discretion. Or, perhaps, their silence was the effect of despair. They might see and feel that their wishes were incompetent with their strength; that parliament was fortified by influence; and that, as they had nothing to hope from the independence, they had every thing to apprehend from the power of parliament. And as to their endeavouring to extort their request by force, they might conceive that the remedy would be more fatal than the disease. He thought so too. The object would not justify the expedient. But if they had hitherto patiently refrained from violence, and presented their petitions with temper, it was a sign of the want of virtue in those who made the conscience and fortitude of the people an argument against redress. He warned the House not to leave the people in so pernicious a sentiment as despair; there were limits, beyond which human forbearance could not proceed.

He trusted that the same unbecoming and inhuman spirit would not prevail in the House now, which had been too

visible on many former occasions, of construing every act and expression of the people to their disadvantage; and taking their conduct, whatever it might be, as a reason for objecting to their desires. That if they were clamorous, they should be considered as dangerous, and their petitions be rejected, because their conduct tended to public convulsion; and if they were quiet, that their desires should be resisted, as by their coolness they could not be in earnest. Such was the sophistical reasoning of ministers, and thus they met the applications of the people. If, under the apprehensions of national danger, they should present a petition in great numbers, praying for a redress of grievances — No; they are insolent; they cannot even be heard in such a moment. This is cruel treatment; for injustice does not alter its nature, by provoking the resentment or the rage of those who suffer by it. On the other hand, when the people are quiet, it is said, Oh, never mind their petitions, they have too much conscience to pursue their object at the risk of a civil war.

Indeed, I hope they have, said Mr. Burke; and I am one of those who think with them, that the object I contend for should not be sought after through so dreadful a calamity. But I contend, that this is very unfair reasoning; because the people have some conscience, that the minister and his friends are determined to have none at all. If the House were to consider their rank and their situation, that they were the representatives of the people, dependent upon them, answerable for their conduct, and charged with the guardianship of the constitution: considering themselves in that light, they ought to pay regard to the desires of the people, by whom they were constituted, and give the most serious attention to applications so generally and seriously made. If they were to view themselves in another point of view, as a self-created, self-existing body, coming from the earth of the kingdom in which they lived, and attached to it by no other ties than such as were local and natural as citizens, without being bound as representatives, still they were called upon by the most

serious motives: we were at war with ourselves; we were at war with our enemies; we were at war with our allies; and there was great reason to apprehend that a more dreadful war was impending over our heads — a war with those maritime powers by which our boasted naval superiority was suffered. It became them in such a crisis to have regard to every method of retrenchment. In such a moment they ought to take from their civil establishments to add to their military service. They ought not to prefer shew to substance; for the expences of the war were too enormous to be always sustained by the people, unless something was done to supply as well as to impoverish them, to feed as well as to exhaust. The ministers boasted, indeed, that the resources of the nation were unbounded, which, reduced to plain meaning, amounted to no more than this — as long as there is a penny in your pocket, I will find the means of taking it out. While you are patient, and have any thing remaining, I have not concluded my resource. While gentlemen of extensive landed property found it impossible to raise a single shilling on their estates, and saw their tenants starving by the enormous increase of taxes, they were told that national distress was merely ideal, and as long as the premier could raise the ensuing year's supplies, no danger was to be apprehended: but such deception could not avail to disperse the substantial calamities of the country, or counterbalance the good policy of our natural enemies.

We heard much of the spirit of the people; that every thing was to be accomplished by the spirit of the people. When enemy succeeded to enemy, and the guilty rashness of ministers leagued contending states against us, an independence was to be maintained by the spirit of the people. Abandoned by our allies, and left by Europe to our fate, not alone our rescue, but our triumph was to be accomplished by the spirit of the people. In every situation, in every danger, and in every emergency, we were to find resource or consolation, escape or conquest, in the spirit of the people. All this might be very true; the spirit of a

free people would do much; but in his idea, a good deal of the consequence and effect of spirit would depend upon the strength. It was not proper to deny the manger, and to give the spur — that was to say to deny the horse his necessary provender, and yet, trusting to his mettle, urge him by torture, to exertions for which his weakness was unqualified. The spirit of the people was the pride, as well as the bulwark of the country; and that spirit ought to be roused and nourished by tenderness and solicitude, not depressed and dissipated by severity and neglect. The body ought to be fed, that the soul may have its energy. And what would be the greatest inducement to the spirit of the people? 'Participation' and example! He repeated it — participation and example! This would awake and animate the dormant flame of Britain. Let the government participate in the sufferings of the people. Let the king show his subjects a glorious example of retrenchment and economy, and see if they *have* not virtue to imitate as well as to admire. This would give blood and bones and sinews to the war: the body thus invigorated, would acquire activity in its movements, and irresistible force in its exertions. The honour and the glory would belong to the government. It would be magnanimity for which they would become dear to posterity. Their names would be reverenced, and called up as bright examples to future states.

He placed parliament in another predicament. If they were the mere creatures of the crown, constituted, fed, and dependent on the court, he asserted that it would be their duty, and ought to be their inclination, to advise the sovereign to economy and retrenchment. By the plan which had been prepared, they would be able to give the king that which kings in general very much desired — power; for economy was power; it was wealth and resource; it was men and arms; it was all that ambition could either covet or exert to accomplish its ends. Were he, then, the creature of a despotic prince, he would, as his counsellor in his assembly, advise him, in a time of trial and difficulty,

to take from his civil expence, that he might add to his military establishment; to take from shew, that he might add to substance; to make his people happy, that he might make them vigorous; to make his war a war of exertion, that his peace might be honourable and secure. He would recommend nothing that would detract from his true grandeur, or from the pomp of royalty; but to divest himself of a little, that he might keep a great deal; to divest himself of profusion, that he might retain his power. He would tell him, that in a moment of expensive trial, it was better to part with that which was ornamental, than that which was solid; it was better to part with the embroidery than the coat; it was easier to retrench the desert than the dinner. He would tell him, that to keep up the parade and shew of royalty, without the power thereof, was like the absurd vanity of taking from the manger, to decorate a poor starved emaciated horse with bells and trappings, while the poor animal, deprived of food, tottered and groaned beneath the wretchedness of ornament. Such language and advice would not be unseasonable or impertinent, if addressed to an Alexander or a Charles, since their retrenchments might increase their powers of war, and enable them to diffuse horror with more rapidity. But to a king like ours, who hated war and loved peace; who participated in the interests, the joys, and the disasters of his people, it must be at once proper and welcome; for what was the true glory of the king of a free people? Sympathy. It was sympathy that made him great and amiable. A king is said to be the head of his people, not because he proudly overlooks his subjects from that eminence to which Providence has exalted him, but because he is the head of the body of his people, from whom they derive, by many communications of canals, and joints, and hands, that life and nourishment which actuate the whole frame.

If the stomach is sick, the head is disordered; it is affected in like manner by the other disorders of the body. The king, in like manner, sympathises with the great

body of his people; he rejoices in their joy, and is sorrowful at their sorrows. Such is our gracious sovereign. But a faction has stepped between him and his people, and prevented that happy sympathy which should prevail between the head and all the inferior members of the body. This faction it is the business of parliament to quash — to tear the veil that is thereby interposed between the sovereign and the people; to dispel those clouds that hide the royal countenance from his dutiful and affectionate subjects. And surely no sovereign that ever swayed the British sceptre had more occasion for economy than his present majesty. He was blessed with a more numerous progeny than any of his royal predecessors; they were the objects of his pride and tenderness; they are also, said the honourable gentleman, the objects of our pride and tenderness, for they are the children of the empire, as well as of the king; and it becomes us all to provide for their future grandeur and respect. The respect, the credit, the dignity of the nation is concerned in their establishment; and we must not, by irrational extravagance, abandon the fair offspring of Britain, and leave them beggars in the world; the mere fragments of royalty; kings of experiments, to see how far respect would be connected with poverty, and royalty be maintained when grandeur was lost. It was certain, that let the present war terminate as it may, either now or at a distant period, either in the reduction or the loss of America, we should not be able to maintain a dozen courts in this country. What, then, must be the consequence of profusion? What, but that we shall turn them out bankrupts in fortune, while the parent's heart must be wrung with the melancholy reflection. His majesty, who was inclined to cultivate the prosperity of his people, must feel the distresses of his people in this threatening ruin; and however he may be prevented by the guilty interposition of counsellors, must be anxious to court tranquillity and fame, by complying with the wishes of his people; to restore the communication between the nerves and the brain; that all the emotions of the body may be

transmitted through the fine ducts of the former to the latter, and from thence, with heat and moisture, be reconveyed through all the channels of the animal economy, preserving the connection that makes them mutually affect, and be affected by each other.

He was very sorry that last year he had been obliged to point out the King of France as a model for our ministers to pursue; and they were greatly to blame for having given bad advice to a prince, whose native goodness would have enabled him, if he had been left to himself, to outrun the King of France, or any other monarch, in the noble race of generosity and love for his people: they were enemies, therefore, to his honour as well as to his crown, when they refused to recommend frugality in the expenditure of his treasures. The King of France had found sufficient resources in economy for the support of an expensive war; in the first year of it no taxes were imposed; the second year had passed over without any new tax; nay, the third had begun, and no new taxes were laid; he believed the king had not even laid the ordinary war taxes. Thus his people felt the happiness of having a frugal prince and a frugal minister; for frugality led the monarch to retrench from his own splendour rather than from the pittance of the subject; and in the abolition of 606 offices, he had found out a resource to carry on the war, without laying any additional burthen on his people; he had stripped himself of the pageantry and foppery of royalty, but he had equipped a navy; he had reduced the number of his servants, but he had increased that of his ships; he had taken from his own personal eclat, but he had given to his country a marine, which would immortalize his reign. Were M. Neckar's plan to proceed no further than it had already done, it had still produced this essential advantage to our enemies, that they had sustained the efforts of Great Britain three years without any impoverishment, and had now enough to begin the competition of resources with us, after we had been reduced by almost every species of taxation that ingenuity could invent. This was not overlooked by the French

king; for Neckar alone had stood his ground amidst all the cabals and intrigues of a court, a stranger, and unprotected as he was, while almost every other minister had in his turn been dismissed. It was not yet true, as related in the newspapers, that he was dismissed the service. Calumny might attempt, perhaps, to blacken this excellent statesman in his sovereign's eyes; but it was impossible to blind the discernment of that monarch, so far as to efface from his memory this honourable truth, — "He has given me a navy, and has not laid a tax upon my subjects!"

We want, said Mr. Burke, some such great minister, who, like Neckar, would strike out new and bold paths, suitable to the pressure of affairs. There is nothing done but on a little, low, fraudulent scale, producing temporary supplies by retails of misfortune. *Tœdet harum formarum.* These are vain and delusive shadows; give him body and substance — *corpus solidum et succi plenum.* When the resources of France were thought to be exhausted, and every common channel was known to be dried up, down M. Neckar dug into the mine of national wealth: he went to the spring and fountain-head of revenue, and by demolishing the dams and dykes that stopped the current of wealth, he brought into the exchequer the value of six hundred useless places. But it may be said, France must have recourse to burthensome taxes at last: true, but has she not fought with Britain for three years without them? And an exertion of three years may give her a decisive superiority through the extent of the war; it may put her system into such a train, as to give the tone, and determine the complexion of a whole century. It will give more solid and permanent glory to the reign of Louis the Sixteenth, than all the illustrious deeds of Henry the Fourth.

He next supposed himself in a third situation, a creature of the minister, without any attachment to the people on the one hand, or the monarch on the other. If such were his political character, then, as a friend to the noble lord, he would advise and conjure him in sincerity to promote the bill now moved for with all his authority, to adopt it as

his own measure, and thereby secure all the credit of it to himself. This the noble lord knew from experience was easily done, for to the great advantage of his lordship's popularity, he had practised a similar manœuvre on two or three different occasions already. Most of the members of that House could recollect the noble lord's doctrine some years ago respecting America. The right of taxing that country, he used to assert, was inseparably connected with the very existence of this. He would not hear a single proposition from that side of the House, for relinquishing the claim of taxation; and yet, when he thought proper afterwards to do that which was, by his own previous language, a political death-stroke to the country, something like cutting between the right and left ventricles of the heart, when he offered conciliatory propositions to our colonies, the whole credit redounded to his lordship; the moderate men of this country, as they were called, joined his lordship's party, and reprobated the opposition; nay, even in America the minister was said to eclipse his opponents in popularity. In the affair of Ireland, the event had been closely similar, for after his lordship had, in fact, opposed every extension of the Irish commerce, as long as he could safely do so, he became at length a convert to that side of the House, and behold the minister becomes suddenly popular in Ireland; gold boxes crowd to him in abundance from all parts of the country; while he and others, who laboured for the right of that kingdom at the expence of their popularity, in this became odious, as the factious opponents of this patriotic minister, and were even, as he was told, burnt in effigy.

He therefore recommended to the noble lord, to take his bill into his own hands. Though it would be considered by some as poison, as it came from its original author; yet, after it had been chewed and mumbled by the noble lord, it would be received as very salutary and palatable food. Such was the fascinating nature of power and pre-eminence, and such the ingratitude of man, that any little favour the powerful lord granted, though extorted by

compulsion, was received with transport by the crouching slave, who was industrious to find out sinister motives to which to ascribe the actions of common men, however friendly and generous!

He therefore advised him by all means, if he wished for honour and fame, to adopt the plan, and accomplish the reductions proposed. He would establish permanent popularity, and would annihilate the opposition. It had been formerly advanced in favour of the influence, which it was the object of his bill to diminish; that such a principle was necessary for the support of government; that it was the aim of our constitution to give in influence what was lost in prerogative. He was very willing so far to admit this doctrine, as to allow that no minister would be uniformly supported without some kind of influence; for such was the diversity of human opinion, that no abilities could always convince and guide without some bias in favour of the speaker. But there were different kinds of influence; one influence, for instance, was that derived from superior wisdom and virtue, which never failed to inspire reverence and respect, and by the exercise of which any minister might command support; another kind was derived from the power of distributing honours and emoluments, and this might be employed with equal success in any hands, good or bad. The former of these influences he readily admitted to be necessary to the support of government, but the latter he must ever deny to be either necessary or justifiable; for the influence of wisdom and virtue would always lead to wise and virtuous measures, but that of corruption to corrupt ones. The last was the influence of bribery, and deserved to be called by no other name.

The power of distributing places, pensions, and honours, having been always in the hands of government, by many was confounded with the idea of government itself; and it was thought the one could not subsist without the other, consequently that the power of the state was weakened by a diminution of such instruments. They mistook the emoluments of government for government itself, and consi-

dered it as a mere cabinet, containing a chest of drawers filled with sweet things. To be influenced by an admiration of wisdom and virtue, was to possess these qualities; but the influence of bribery he considered as pernicious to freedom as open force. It was said, that all free countries were corrupted by bribery. When virtue, which was the spirit of commonwealths and of all free states, was gone, liberty could not long survive. A few were brought to impose slavery on their fellow-subjects, and the price paid for their services was the only difference between a state possessing the forms of freedom, and one openly despotic. An undue influence, he said, preyed on the very vitals of a constitution, and eat up the entrails, while the outward walls remained.

It was as different from real government as the most opposite extremes in nature. His ideas of government were most essentially different. He considered government as the exercise of all the great qualities of the human mind, with the mother virtues of prudence and providence at their head. To govern, was to be always prepared for peace or war. To govern, was to unite an empire in one bond of obligation and affection; to have but one direction and one purpose; to have but one interest and one desire; the direction and purpose, the interest and desire of common prosperity. To govern, was to possess the confidence of the governed, that when the envy or the ambition of an enemy aimed an attack, every heart might agree in delivering the sword into those hands that had held the olive to their advantage. To govern, was to act in a state of hostility, for the interest of the empire, and not of the rulers; it was to arouse the people, by sharing in their exertions — by proposing and beginning retrenchment, and shewing the use of economy, by the advantages and success of it. This was government in his definition of the thing, and it was the only idea of government that he could possibly entertain; and thus government was as different from places, as services were different from salaries. It was the nature of influence to produce a supine negligence in government.

Influence threw government asleep, and it sometimes awoke by starts and fits, after it had relaxed the steady reins of virtue, into acts of the greatest cruelty and ferocity. It led to anarchy and confusion. By influence and anarchy together, a mortification was always produced, which was at last cut away by the incisions of the sharp knife of despotic power. It would be easy to shew, he said, by a detail of particulars, that the spirit of the British government was relaxed — that it was paralytic, undoing to-day what it did yesterday, and totally unable to support its own weight.

Mr. Burke said, he would not trouble the House with any more reasons for bringing forward the same plan again, which had engaged so much of the time and attention of the last parliament for so little purpose. He had made no alteration in it, and he begged leave to give it to the House in the humble hope and confidence, that if they meant to give it countenance and attention, they would do so with fairness and candour, and not with insidious respect in its outset, tempt it to a death of slow and lingering torture. He called upon the noble lord in the blue ribbon, who was to be the arbiter of its fate, and begged, if he meant ultimately to give it a death stroke, that he would save himself and the House much fatigue, and the nation much anxiety and disappointment, by strangling it in its birth. Let them try the matter on that day, if it was to be tried. He called upon him to do this, and be, at least for one day, a decisive minister. He concluded with moving "That leave be given to bring in a bill for the better regulation of his majesty's civil establishments, and of certain public offices; for the limitation of pensions, and the suppression of sundry useless, expensive, and inconvenient places; and for applying the monies saved thereby to the public service."

The motion was seconded by Mr. Duncombe, who paid high compliments to the mover, not only on account of the bill, but of the very great ability with which he had formerly stated his comprehensive plan to the House, and the firmness and per-

severance with which he now had combated every obstacle to the principle of the measure. Lord North, in answer to the call made upon him, said he would very candidly declare, that his opinion on the subject had not at all varied from that which he had entertained on it in the preceding year, and that though he did not disapprove of the plan *in toto*, yet the parts which appeared to him proper to be adopted bore so small a proportion to the whole of that very comprehensive scheme, that he should be obliged to oppose it in some future stage of the bill; he did not think it would be decent or candid for him upon his own private opinion, to set his face against the bill in its first stage, by opposing its introduction; especially as there were many new members in the House, who, though they might have a general knowledge of the subject, could not be so fully informed upon it as was necessary to their coming to an absolute decision; he would therefore reserve himself until the bill was printed, and the members were in possession of the necesary information, when he should think it his duty to state such observations and objections as might occur to him, to the House. Leave was then given to bring in the bill.

February 19.

THIS day Mr. Burke brought in his bill *. It was read a first time, and ordered to be printed. He then moved, that it be read a second time on Thursday, the 22d instant. Earl Nugent said the day was too early. There were many young members who could not be conceived to be in possession of the plan, large and comprehensive as it was, and who could not make themselves masters of it in so short a time. Gentlemen would consider that there was not one day before Thursday on which they could read it with the attention which it deserved, since it could not be printed before Wednesday morning, and Wednesday was the fast day. He was one of those who thought that there was a great deal in the bill which parliament ought not to adopt, and something which, perhaps, upon consideration

* This bill was exactly the same as the one brought in last year, a copy of which will be found at p. 91. of the present volume.

they might find to be proper and wise; it comprehended various innovations unprecedented in our constitution, and which merited the most mature deliberation. He concluded with moving an amendment, by inserting the words "Monday the 26th," instead of "Thursday the 22d."

Mr. BURKE ridiculed the idea of the House being unacquainted with the principle or the tenor of his bill. There was not a member, new or old, who did not know its nature and tendency at this moment, as well as they could possibly do if the reading of it again was put off for months. The principle was known; and as to the other objection of the noble lord, that some of its provisions were fit, and some the contrary, he would not be so disorderly as to follow the noble lord into that consideration; that would come in proper time, when the bill was in the committee. The noble lord's reasons for putting it off then in this respect would be just as applicable at any other time, and for any farther and continued delay, as they were now. One reason which the noble lord had assigned was peculiar, and adapted to the occasion. Wednesday was a fast day — so much the better — it would bring along with it leisure and relaxation to the noble lord and others, now indefatigable in their attendance, and there could not be an object more proper for their employment, on a day of fasting and humiliation, than the bill upon the table. It would bring into their view the measures and the misfortunes for which the day of fasting and prayer had been appointed, as well as their remedy; it would shew them the pride and the influence that had reduced us to our dangerous and necessitous condition — the insolence that had concluded in supplication — the tyranny that had brought us to concession: it would recal to their memories the oppressions and the weaknesses, the cruelties and the crimes of the state; and their contrition would be strengthened by the proofs of its necessities: here they would see prodigality producing poverty; corruption, slavery; ambition, ruinous war; tyranny and oppression, resistance and revolt; and as the day was a

day of fasting, the bill would serve them in the place of a dinner. Instead of the grace, they should have the preamble. The board of works would be one dish, and the board of trade another. The noble lord would also find the humiliation that was befitting the day in that bill. He would find the provisions thereof sufficiently humiliating to those who sat upon the bench which he occupied in that House. In short, he would find the best employment for a day of fasting, prayer, and humiliation, in a bill calculated to abolish places, pensions, and sinecures, and retrench the extravagance of government. But he believed it was not on account of fasting, but of feasting, that the bill was to be delayed. It was not because Wednesday was the fast day, but because Thursday was the benefit day of Mr. Vestris, the French dancer. This was the true reason. It would be shameful to think of their constituents, or to think of their country, when Vestris was to dance! It would be dreadful to set about retrenchment and economy, when Vestris had advertised for a benefit! What was the salvation of a state compared with the interest of Vestris! In the piping time of peace, he said, he would dance as willingly as any of them; he was fond of pleasure, in a season of joy; but now his mind was occupied by more melancholy considerations than dancing. But to a great part of that House, a dance was a much more important object than a war; and the opera-house must be maintained, whatever became of the country. For his own part, he was no enemy to merit of any kind, either of the heels or of the head; and he had formed no design against Vestris, by moving for the second reading of the bill on the day of his benefit; but the treasury-bench had taken care of that interest which he had forgotten. He promised the noble lord then, that if he would procure his bill to pass, and the reform to take place, he would have no objection to make up to Vestris what he might suffer, by giving him the profits of one of the places to be abolished. Mr. Burke concluded with a serious appeal to the House against that abominable spirit of levity which thus drove them from

business of national importance to the entertainments of a theatre. Considering it as an insult on the grave dignity of parliament, to delay the consideration of the bill on such a pretext, he would abide by his motion, and divide the House.

The House divided on the amendment: Yeas 89: Noes 77.

February 26.

The order of the day being read for the second reading of the bill,

Mr. BURKE desired that the Journals of the 6th of April 1780, containing the resolutions of the House, that the influence of the crown had increased, was increasing, and ought to be diminished, might be read; they accordingly were so. He rose again and said, he should not offer any more arguments then in support of the motion, having recently tresspassed so long on the attention of the House. He would content himself with only remarking, that if there should appear in the bill, on its being read, any little inaccuracies, not immediately defeating its general scope and tendency, such imperfections ought not to be adduced in argument against its commitment, for in the committee every requisite correction would be admitted. One of these obviously was, a clause for reducing the board of green cloth, and executing the dependent offices by contract, which being given up on all sides last year, should have been struck out of the bill, but had remained in it through inadvertency. This he should readily agree to alter in the committee, and he therefore hoped no gentleman would build an objection upon it. If the general principle of the bill was concurred in, every difficulty would vanish.

The motion for the second reading of the bill, brought on a great debate; if it was strongly opposed on the one side, it was no less ably and powerfully supported on the other: and the

division not only surprized many, but was more close than the minister himself expected. Mr. William Pitt, and the young Lord Maitland spoke for the first time in the House of Commons, on the present occasion, and were highly distinguished by their ability and eloquence in support of the bill. At the close of the debate,

Mr. BURKE rose, and in a speech of the most beautiful and nervous argument, in which his astonishing powers were warmed and roused by the debate, combated every assertion that had been made against the right, the expediency, or the advantage of the bill proposed. He did not omit any particular of the smallest consequence that had been advanced, and declared, that he now saw the firm establishment of that influence, which it had been his wish and object to diminish; and should consider the issue of this struggle as the triumph or the overthrow of parliamentary corruption.

The House divided at twelve o'clock on the second reading: Yeas 190: Noes 233. So it passed in the negative. It was then ordered, that the bill be read a second time upon that day six months.

THE BUDGET FOR THE YEAR 1781.

March 8.

ON the 7th of March, Lord North opened the Budget for the year 1781; and on the following day, the resolutions of the committee of supply being reported,

Mr. BURKE said, he was sensible that the power and credit of government depended chiefly on the votes of supply, and that he had uniformly been cautious how he resolved to give his assent to any of the resolutions of the com-

mittees of ways and means. But on the present occasion he must refuse it. He meant not to give a negative to the whole of the resolutions, but only to that respecting the douceur of a lottery ticket, which was a robbery of the public, ruinous to the people, and by no means necessary to the present loan which could be obtained without it. An honourable gentleman over the way had accused his honourable friend (Mr. Fox) who had opposed the loan yesterday, of proceeding upon premises which he had not proved. Surely, when it was shewn by his honourable friend that the terms were exorbitant, he had proved every thing necessary, and it was not his business afterwards to ascertain that better terms might have been procured, but that of the minister to shew the contrary. He was afraid that nothing would tend more to injure public credit, than to shew to the world, that it was not parliament but the minister who regulated the finances of this country. It was the idea that parliament had the state of the national finances laid before them, so that every man might see the state of the public debts, that supported so greatly the credit of the nation; and he was sorry to find, that while the enemy was beginning to adopt our mode, the ministers of Great Britain were convincing the world, that parliament had nothing to do with our taxes and loans, but to give their sanction, however contrary to their judgment, to the bargains of the minister, however extravagantly injurious to the public. The credit of parliament would sink, and consequently so must that of the nation. From all that had been said, he was convinced, not only that the terms were bad, but that the noble lord in the blue ribbon might easily have got better. It was a little remarkable, that the objections stated by his honourable friend, were uncommonly strong, and put with the usual ability of his honourable friend; but not one of them had been answered; he took it for granted, therefore, that no answer could be given. It remained, then, for that House to interpose and prevent the ratification of a bargain which was so obviously disadvantageous, that those who made it were

themselves ashamed of it, and did not even pretend to argue in its favour. With regard to the lottery, it was evidently so much money thrown away, because it had been undeniably proved that the premium was sufficiently large, without the profit on the tickets. That Lord North had made a bad bargain for the public, Mr. Burke demonstrated from various considerations, and particularly from this: that in the bargain with the money-lenders, allowance was made for the possibility or the chance of the fall of the stocks, but not for that of their rise. The noble lord himself had confessed, that the bargain he had made was a disadvantageous one for the public; and yet no minister in time of war ever negociated a loan in better circumstances. In the first place, it was agreed to take the lowest computation, and there were subscriptions for 24 or 25 millions, double the sum wanted, and surely this was a most decisive advantage in favour of the borrower. By this means the noble lord might have counteracted the selfish views of the men he treated with, by resorting to more reasonable men, if dissatisfied with the first that offered; or supposing the parties to be the same, still it was obvious, that men who had 24 millions of money to employ, would be more likely to take a reasonable interest than those who had only the sum wanted; for it was not to be supposed they would let so large a sum lie in the banker's hands, when they might get a premium of 5*l.* 10*s.* which the noble lord himself admitted to be a sufficient bonus.

In the second place, a minister in time of war surely could never negociate a loan with so much success, as when a peace was expected; and that was the situation in which the present minister stood, when he settled the bargain now before the House. Added to both these considerations, there was that of the commission of accounts alluded to by the noble lord yesterday, from which it appeared that immense sums were to be immediately brought into the public coffers; so that there was an immediate resort in case the loan had miscarried. With three such advantages as these, if a good bargain was not made, no possible circum-

stances that he could conceive, could ever redound to the public benefit. — 'Ne salus ipsa huic saluti esse potest:' God and man could not save his expences.

Mr. Burke adverted, with inimitable pleasantry, to what had fallen from Lord North in the debate last night, concerning the poverty of the House of Commons. Says the noble lord, this House cannot have such a proportion of the loan as is pretended; for this is a poor House. This the noble lord had advanced, not without wit and humour, of which Mr. Burke allowed him to be a great master. It was a very heavy charge against the honourable gentlemen; for poverty at present was the greatest dishonour, and wealth the only thing to make a man well received in all companies. But Mr. Burke recalled to the noble lord's recollection, a contrary position of his, namely, that the House of Commons was a most respectable assembly; respectable, he meant, for their independent fortunes and riches. What! was such an assembly to be corrupted? This was the strain of the noble lord's eloquence on some occasions; but on others he found it convenient to argue their incorruptibility from their poverty, as he did at present. They have nothing to give away, therefore they cannot be corrupted; and thus by the double operation of poverty and wealth, the English House of Commons is not only the most uncorrupt, but the most incorruptible assembly that ever was in the world. The rich are so full of pure water, that there is not room for a drop of foul; and the poor are like a sieve, which can hold nothing, but every thing liquid passes through it. Hence an incorruptibility might be inferred on both sides of the House from the most opposite causes; incorruptibility from poverty; incorruptibility from opulence! He wished, that instead of members coming in poor to the House, and going out rich, they might come in rich and go out poor. He was persuaded the noble lord thought erroneously of the House, for it was not justly chargeable with poverty; in his opinion too little so by a great deal. He would be happy that a seat in parliament afforded no opportunity of growing rich, and that

members came there rather to live with frugality upon their own fortunes than to acquire new ones. He was sorry that opulence was to be acquired by getting into parliament — but so it was, that members were like the tenuis vulpecula, or the weazel, which being slender, crept into the cupboard; but eat so much there, that it could not get out: so with members of parliament, they came in sleek and slender, and afterwards, being gorged with places, pensions, and douceurs, got such enormous bellies, that they were scarcely able to get out again. To adopt another comparison, members came there as into a hencoop, where they fed heartily at the expence of freedom. He wished the House of Commons were a kind of ergastulum, to work off those fat, large bellies, that were contracted by the douceurs therein acquired. He spoke metaphorically; he meant, that he wished members might spend, instead of acquiring fortunes in the public service. His stroking his own belly, and his situation opposite to Lord North, "with fair round belly with good capon lined," raised a very hearty laugh, in which Lord North himself joined.

Having reasoned against the bargain in question, Mr. Burke said he was sorry to find by a comparison with the conduct of M. Neckar, how bad an economist the noble lord was for the public. His lordship had added by the late loan twenty-one millions to the capital debt of the nation. M. Neckar had added only five millions by his late loan to the debt of France. The English financier was obliged to raise new taxes to pay the interest of this immense sum; the financier of France did no such thing; he was enabled by savings to pay the interest of his loan, without any taxes. The noble lord loaded his country with the interest in perpetuity. M. Neckar paid only for a term of years, determinable on lives: the English interest lasted for ever; and that of France must daily decrease: not a year could pass over, that many creditors of the French crown would not die, and bequeath as many legacies to their country as she saved by the stop that their deaths put to the payment of their annuities. The French financier bor-

rowed at ten per cent. on one life. If the interest and douceurs which the English minister had agreed to pay, were reduced to annuities, it would be equal to fourteen per cent. on one life. M. Neckar, he said further, had ten millions of franks in reserve for the next year, and other resources. How much then was our situation reversed! The noble lord could no longer boast of the superior state of our finances, as he was formerly wont to do. He was ready to agree that the French minister had not the same difficulties to encounter that the noble lord had; but then it must be considered, that the noble lord was not a minister of yesterday, he was not blameless of having assisted in bringing his country into those very difficulties under which it now laboured, and therefore the complaint that there were great difficulties in the way of his making a loan came with a very ill grace from the noble lord or any of his supporters. Happy France in her minister! Unhappy England in her financier! The difference arose from the corruption of parliament. If a poor member of parliament should receive an offer from a subscriber: "agree with the minister in such and such terms for the loan; and you shall have four per cent. on all that I subscribe for;" this would be a temptation that nothing but incorruptibility could resist; and yet, according to the terms of the new loan, a subscriber might make this bargain with a member, and still have above six per cent. for his money. Such offers made to many members might tempt them to agree to terms which otherwise they would have rejected with indignation; and thus it was that such inordinate bargains were made by ministers, because they were sure, that by applying to the interest of the members, they could get a majority in the House to sacrifice the interest of their country.

He was for recommitting the resolutions, in order to reconsider the bargain on principles of economy; but chiefly on a principle of public credit. The publicity of all our national transactions was the principal ground of our national credit. When no bargain could be made clan-

destinely, but when all was open, and subject to the revision and correction of the public, (interested most certainly to make the best bargain for itself that was possible,) there arose a confidence in our public faith and credit, which must be shaken, if an idea should go abroad, that, however the forms of parliament might be observed, the minister of this country was in fact absolute. It was the bad bargainer alone that could be profuse, when profusion was necessary. Profusion he considered as a symptom of despair; for could it be supposed, where that took place, that money could be borrowed on reasonable terms? When a bottle was turned over, being full, it ran out at first by gouts, and but slowly; but when it was nearly exhausted it flowed rapidly and with a current. The ministry, on the principle of a regard to public credit, ought to study economy, and to shew economy to all the word; that the world might judge thereby of our strength, and form conclusions in our favour; that Sir Joseph Yorke might have it in his power to say at the court of Vienna, "My countrymen are desirous of peace, but both willing and able, if it be necessary, to carry on war;" that the nations seeing this, may be inclined to grant us peace on safe and honourable terms; or at the worst, that there may be a principle in this state of resuscitation, that the *luz*, as the Hebrews call it, may be safe and sound, which, if it is, there is no doubt of the body being revived. [The *luz* is a bone in the body, which being sound, as the Jews believe, the body will rise again.]

After these and various other arguments against the terms of the loan, Mr. Burke said he was willing to believe the noble lord might have been constrained by necessity to accept them; but how did this obligation arise? From the imbecility of the administration, which emboldened the subscribers to threaten to withdraw their support, if every demand was not acceded to. On such a supposition he sympathized heartily with the noble lord, but still more with the people, who must pay for the weakness of their ministers. This much he had thought it necessary to say,

in order to justify his vote the night before — the first vote he had ever given against a budget. But he thought it his duty to give his negative last night, because he believed that the minister would not have presumed to call upon parliament to sanction so infamous a bargain, if he had not thought that parliament was arrived at that pitch of corruption, that they would accede to any terms, however scandalously injurious to the public. He wished to convince the minister, that at least with respect to himself, he was mistaken.

CAUSES OF THE WAR IN THE CARNATIC.

April 30.

ABOUT this time an account was received of the unfortunate war in the Carnatic, and of the dreadful ravages of Hyder Ally. This intelligence was communicated to the House by Lord North, who this day moved, "That a committee of secrecy be appointed to inquire into the causes of the war which now subsists in the Carnatic, and of the present condition of the British possessions in those parts; and to report the same, with their observations thereon." Sir Thomas Rumbold, who had recently taken his seat in the House, not only agreed in the propriety of the proposed enquiry, but also thought it exceedingly necessary and becoming. The state of our affairs in India were such, he said, as to require the serious investigation of parliament, and there was nothing which he more ardently desired than that the whole of this business should be thoroughly and fairly examined. He desired to meet inquiry and court trial with openness and confidence.

Mr. BURKE urged the propriety of rendering the committee open, instead of secret. The honourable baronet had desired a very proper and fit thing, the opportunity of vindicating his character from charge and aspersion.

By making it a committee of selection, instead of a committee of secrecy, that opportunity might be given; and by his attendance, and the attendance of other honourable gentlemen, the most advantageous assistance would result to the committee, in pointing out to them such papers as were material. The honourable baronet would be of great service to the committee, by attending in this manner; at the same time, on account of his peculiar situation, it would be very improper for him to sit as a member of it; and he was himself convinced of this truth. It was in the nature of a judicial inquiry: and being a judicial inquiry, it ought to be open, unless they intended it to be a mockery of justice, instituted to quiet the murmurs of the moment; to be begun with heat, and broken off with haste. '*Opere in medio defixa relinquit aratra.*' In this inquiry, the fortunes, the lives, of many individuals, were at stake; and it was a principle of the law and the justice of Great Britain, that her judicial proceedings should be conducted in the face of day. It would be an imputation upon the country, if public punishment, or even public acquittal, should follow private trial. It left suspicions of guilt upon the man that was innocent, as it gave room to jealous conclusions of innocence on a verdict of guilt. It was always the nature of secrecy to inspire suspicion; and it was the virtue, the glory of the British law, the cause for which it was venerated and applauded among nations, that it was administered in public. That which threw imputation and obloquy upon the judicial trials of despotic states was, that those trials were secret, that they were kept concealed from the investigating world, by which means their partiality and their injustice might be covered. What was it that made the Spanish inquisition so detestable? Not the principles of the institution, for they were founded in many instances in substantial justice, and in admirable policy; but the conduct of the court rendered it abhorrent; the secrecy of their proceedings poisoned the justice, and bred suspicions in the minds of men, which neither their purity nor their impartiality could wipe away. The general argument against

their tribunal was simply this, that men could not know whether they condemned with justice, or acquitted with honour.

Perhaps it might be said, that in the present case the publicity of the inquiry might lead to disclosures, of which our enemies might avail themselves to our disadvantage. This was a sentiment founded in error. No such consequences could arise. It was not in the nature of things that secrets could arise, of which the enemy were not already in the possession; or if they were not, from the circumstances of their situation, they could be of no service to them; since by this time the struggle must be decided, or at least the posture of affairs so changed, as to render those secrets insignificant. Secrets of inefficacy, of treachery, or of corruption, were the bane of governments. He never knew a state that had been ruined by the openness of its system; by its readiness to search into its distempers, and to lay bare its wounds; but he had heard and read of many that had been ruined by the timorous secrecy of their proceedings, by the concealments which they observed in their inferior branches and dependencies; by which corruption and disease were suffered to gather head, until, when they burst into eruptions, they were too formidable for remedy, and withstood all the powers of physic. Such was always the effect of jealous and timid secrecy in the system of government; and nothing could tend so much to the confirmation of calamity as a timid concealment of its existence.

Make, said Mr. Burke, your inquiry open, full, comprehensive, and public, and what would be the result? You would give consequence to the states that surround you in India; you would teach them to look to Great Britain with a degree of preference and respect, and shew them, that from no neighbour, and from no power, could they expect such equal justice, and such permanent security, as will flow from you. What has been the cause of all your disasters, but the secrecy which has been observed in those inquiries? What is it that has alienated the affections of surrounding nations, and made the name of

England hateful in the East, from Mount Caucasus to Cape Cormorin? What, but the protection which has been given to delinquents, the blindness which has subsisted in the state, and the licence that has consequently been taken by the servants of the Company to invade property, to be rapacious of dominion, to violate treaties, to outrage neighbourhood, to sacrifice faith, and to make enemies on every hand? It is this that has forced those nations to consider every state as their friend, that would take them under their protection instead of you. They have also considered the most despotic empires as more liberal than Britain. Reform, then, your principle, since it is founded in vice, and productive of calamity. Establish a generous principle in its room, of fair, and full, and public justice. Shew them that you are determined to become the protectors, not the oppressors, of the country. That you wish to hold your authority on the solid rock of their happiness. Consider that there are thirty millions of souls involved in this affair: and as you cannot maintain your government by mere power, study to preserve it by policy. Let there be no private business nor private interests to interfere in this inquiry; no one set of men to protect and save; no other to harass and destroy. Let it not be confined to the mere disaster in the Carnatic; nor limit your investigation to points so little in the important whole of the business, as the defence of a pass, the weakness of one place, and the quantity of stores in another. These are the mere pustules, the eruptions on the skin; and while you are intent on the examination of these, you neglect the real seat of the disease, which is in the blood, from the corruption of which these appearances have their rise. The wisdom of government ought to be applied and exerted, not so much to the cure as to the prevention of the disease. It ought to have the sense and the penetration to anticipate consequences in their causes; to see them in their approach, and to ward off, by seasonable preventives, the impending blow. This is the true duty as well as the virtue of government; and it is in the exercise of this salutary

wisdom, that it is able to give security and happiness to the governed. Let us, then, in this inquiry, go into the whole of this important business. Let nothing be concealed; but let us trace the conduct of those subordinate governments from the date of the last charter to the present hour: and let us enter on this inquiry with a determined spirit to screen no delinquent from punishment, however high; to persecute no innocent man, however unfortunate. What will be the consequences of this conduct? You will reunite the nations that surround you in bonds of trust and friendship. You will shew your own servants that nothing but the faithful discharge of their duty can recommend them to reward, or secure to them the enjoyment of the fortunes they may acquire. You will teach the people that live under you, that it is their interest to be your subjects; and that, instead of courting the French, the Dutch, the Danes, or any other state under Heaven, to protect them, they ought only to be anxious to preserve their connection with you; because, from you only they have to expect public proceeding, public trial, public justice. Do this, and you give a necessary example to your servants; you give happiness to your subjects; you give confidence to your neighbours; you give despair to your enemies. Europe would stand astonished and awed by your conduct. They would see a system of government formidable from its purity, permanent from its use. In all justice, as in all government, the best and surest test of excellence, is the publicity of its administration; for, wherever there is secrecy, there is implied injustice. When the eyes of men went along with the judge, when they could see and investigate the procedure, then the justice was complete. Even in the awful judgment of the world, at the last day, we are taught, in the Scriptures, that God will condescend to manifest his ways to man. His judgment will be public. What, then, shall poor, finite, limited man, incumbered with passions and prejudices, presume to judge in secret of man, when his Almighty Parent declares that even his ways shall be public and open! We are called

upon by every argument of morality and of policy, by every precept of religion and of duty, to make that justice, which we reverence, as public as the noon-day sun. It has been the sentiment and the sense of all ages. "Let me fight with Jupiter," says Ajax, "but give me day-light." Let me have condemnation or let me have acquittal in the face of day. The acquittal that is secret cannot be honourable; it leaves a stain even upon innocence. The condemnation that is secret cannot be just; it leaves a prejudice in favour of the criminal injurious to the tribunal by whom he was tried. The members of this committee must be pained at the idea of their being forced to sit in judgment, and to acquit or condemn in private. He had been for some weeks engaged in a committee up stairs, which was open; and it had been the greatest consolation to his mind that it was so; since in judging of the conduct of the judges in India, he knew that he was acting in the face of men, and that his behaviour was known to the world. But what must have been his disquietude and anxiety if he had been appointed by that House to judge and determine in the dark? At the same time, the very secrecy itself would be destroyed in the end; for in case of a report being made by this committee, which should induce the House to charge members of that House with high crimes and misdemeanors, and impeach them before the Lords, or move an address for their trial in the courts below, the House would think it necessary, before their agreement with such a report, to call for all the proceedings of that committee, and consequently all the secrets must come out. There, therefore, could be no reason for a committee of secrecy; a committee of selection it ought to be, and such he most earnestly recommended to the noble lord; and called upon him, by every argument of policy and prudence, of liberality and of justice, to adopt the latter.

Lord North, in answer to what fell from Mr. Fox, said, that if the committee should find upon inquiry that the war was owing

to the rapacity of Hyder Ally, or the avarice of any of the Company's servants, they would undoubtedly say so; but if they were to mix opinion with their report; if they were to go farther, and enter into an investigation and arraignment of the conduct of particular persons, they would exceed the powers given them by his motion: all that he conceived to be their duty, was, to report, that they had examined such and such witnesses, read such and such papers, treaties, &c. and so on; and upon that report it would be the business of the House to proceed; therefore, he could not agree that they were to report opinions. Upon this, Mr. Fox desired the motion to be read; when it turned out, that they were not only "to inquire into the causes of the present war," but also directed "to report their observations upon it." Mr. Fox ridiculed Lord North for not understanding the motion which he had made, and for saying that men could ascertain the causes of the war without exercising an opinion. He concluded, with moving an amendment, by leaving out the words "of secrecy."

Mr. BURKE seconded the motion. He said, that now the noble lord understood his case, he would certainly comply. He had been like a lawyer; he had spoken from a brief which he had not previously perused. It was often his misfortune to be obliged to defend measures which he did not advise; but now the appeal was made from Philip sleeping to Philip awake, he trusted he would adopt the amendment. The noble lord, he said, proved the necessity of abandoning a committee of secrecy, and proposing one that should act under the inspection of others; for as he had misreported his own motion, how could he, if he should be one of the committee, fairly report their proceedings? In short, the predicament into which he had brought himself was this; he had attempted to impose upon the House, and on the world, a mode of inquiry by which there would be a mockery of justice; and when the fallacy of this was detected and exposed, he flew to subterfuge, and endeavoured to misrepresent what he could no longer maintain. Such, he said, would always be the wretched resource of weak art.

The House divided on Mr. Fox's amendment: Yeas 80: Noes 134. The original motion was then carried without a division.

AFFAIRS OF THE EAST INDIA COMPANY.

May 9.

THIS day Lord North apologized to the House for being under the necessity of moving to discharge the order for taking the affairs of the East India Company into consideration; but such was the state of the negociation between him and the directors, that though he could not say with certainty that propositions were made on their part, which he, as an individual member of parliament, could undertake to pronounce altogether fit to be submitted to that House, yet there was a great probability of such propositions being before him in a few days. He therefore hoped the House would permit the order to be discharged, and renewed for that day week. Upon this,

Mr. BURKE rose with a degree of unusual warmth, and said, it was high time the noble lord should determine the business one way or another. Were they to have the matter of a renewal of the Company's charter submitted to them this year, or were they not? It was idle, and a contempt of parliament, to talk, on that day, of bringing a subject of so much importance before the House this session. Gentlemen knew what sort of attendances were likely to be given after that day; and if they had turned their minds to the subject at all, they must be convinced that the affairs of India formed a consideration extremely intricate, weighty, and comprehensive; a consideration which would require much discussion and much inquiry. For the noble lord, therefore, to come down week after week, and say, the directors were not ready with their propositions, was treating parliament with contempt; the

directors perfectly well knew what sort of bargain they could afford to agree to; it was absolutely trifling with the House to ask for another week. Did he mean really and *bonâ fide* to inform the House next Wednesday, how matters stood between the public and the Company, or did he not? It was high time that an end should be put to the fallacy. The minister well knew that the charter must be renewed; and therefore though Leadenhall-street might be to blame for being so tardy, still the minister was not less so for not bringing the matter before parliament. The business was, perhaps, of the greatest magnitude of any that had ever been discussed within those walls, yet there was not a single paper moved for, by which the House could be directed in forming a judgment: they perhaps would be called upon to declare to whom the territorial acquisitions and the revenue in India belonged, whether to the Company or the crown; and they had not a single document before them, which might assist in forming an opinion on the subject. It looked, therefore, as if the minister wished to cheat them into a judicial decision, without suffering them to hear evidence. The minister was endeavouring to draw a revenue from the Company; but was he taking any steps to secure them from bankruptcy, by supporting their credit? Whatever might become of their investments, if the territorial revenue was taken into the hands of the crown, bills must, and would come from India on the Company; their credit must be supported, or the idea of a revenue would be absurd. The House ought either instantly to come to the subject, or to call for such papers as would give them an opportunity of informing themselves on the point, that when they came to discuss it, they might not be as much embarrassed as the noble lord in the blue ribbon seemed to be. His conduct on this occasion had been highly disrespectful to the House, as well as injurious to his country; and when the present motion was disposed of, he should think it would be proper to move, that the House should on Wednesday next proceed to inquire into the conduct

of the noble lord in the blue ribbon, with respect to the East India Company.

The order of the day was discharged; and it was moved, that the business be taken into consideration on Wednesday next, which was agreed to.

Mr. BURKE then rose, and said he knew not whether he should conclude with a motion or not, but possibly a motion might grow out of the conversation, and that would be perfectly consonant with the order of parliamentary proceedings. He then went into a warm discussion of the present state of the East India Company's situation, and asked the noble lord, whether, beside making a new bargain with the Company, which must, he said, be a bargain in the air, he had turned his mind to preparing a sufficient support for the Company's credit, supposing that on the arrival of news from India, bills should be drawn on the Company to a large amount, and a substantial support from government should be found necessary? He said it was notorious that the commerce of the Company was not a source of great profit, that all their presidencies were in debt, and that bills would be drawn upon the Company in Leadenhall-street, for the investments of ships now on their way home. He stated the necessity of keeping up the credit of the Company, and strongly urged it as a matter worthy the noble lord's most serious consideration. He contrasted the conduct of Lord North with the conduct of the Company, and contended, that though the noble lord did not seem to have taken the proper pains about the business, the Company, as soon as they knew it was to come before parliament, had chosen committees, and referred the whole to their inquiry and examination. The noble lord, he said, ought to have been ready, for he knew the business must be brought forward, and he had scarcely any other matter of importance to engage his attention all the session. Were gentlemen in any degree prepared to enter into this business; which, from its com-

plex nature, and extreme delicacy, required the steadiest heads and the firmest hearts? In the year 1767, when this matter was fully and maturely investigated, there was a body of evidence, and an inquiry, which enabled gentlemen to go into the business with some degree of knowledge; but of the few who attended to that inquiry, he believed there was no one who now remembered it. He apologised for the warmth with which he had spoken, and desired the House not to impute it to bad temper, but to its true motive, a little elevation of that spirit and that indignant feeling, which every member of parliament ought to glow with, and must necessarily glow with, when he saw the minister presume to insult the House of Commons, and treat it with contempt.

The conversation here dropped.

May 23.

Lord North moved, that the order of the day, for the House to resolve itself into a committee of the whole House, to take into consideration the affairs of the East India Company, might be read. This motion being put and carried, his lordship moved that all the papers relative to the proceedings of the general court, in respect to the renewal of the Company's charter, then on the table, be referred to the consideration of the committee, and that the Speaker leave the chair. The House having resolved itself into the said committee, Lord North proceeded to lay before them the future views of government with regard to the Company, and concluded his speech with moving "That it is the opinion of this committee, that the three-fourth parts of the net profits of the East India Company, at home, above the sum of 8 *per cent. per annum*, which have accrued from the time that the bond debt of the said Company was reduced to 1,500,000*l.* belong to the public; and that 600,000*l.* in lieu thereof, and in discharge of all claims on the part of the public, be paid into his majesty's exchequer by installments, in such manner, and at such times, as shall be agreed on." After the motion had been opposed by Mr.

Hussey, Mr. Dempster, and Sir Grey Cooper; and supported by the secretary at war, Mr. Jenkinson,

Mr. BURKE rose and made a most animated and eloquent speech against the motion. He observed, that all that had been said in support of it was merely the same ground of argument taken up by the noble lord at first, with some little amplification. He should therefore, in replying to the noble lord, reply to what other gentlemen had said. The chief of the noble lord's argument against the proposition of the Company was this: he would not accede to it, because the Company did not admit that the public had a claim upon them; so that the argument cut double, like a two-edged sword; for it must either be solved thus, "If you admit the claim of the public, I call upon you in behalf of your creditors to pay their just dues;" or thus, "If you do not admit the claim, why then I will take that by force which you deny that I ought to receive as a right." Most admirable reasoning! The noble lord will neither beg, borrow, nor receive, as a due; but he will have it nevertheless, and seize upon that by rapine and plunder to which he has no title, and cannot justify his receiving in any way. If the Company should say to the minister in direct terms, "Sir, you have no right to this 600,000*l.* you attempt to exact from us;" then, to be sure, the noble lord would come down to parliament, and pronounce them the most impudent violators of old agreements that ever were heard of; but if they do not express themselves in this manner, if they say, nothing upon the subject, as in the actual instance at present, why then how does the minister conduct himself? He says, notwithstanding these men are silent, I very well understand their intention, and am sure, notwithstanding their taciturnity, they mean to contend that the public have no right to the sum claimed; and therefore, being certain that this is the case, I will make sure of the money and seize it by main force. So that whether the poor proprietors speak or not, it makes no matter, the effect is the same, with this little

difference only, that in the one instance they might deserve the treatment they received; in the other it was replete with unprovoked cruelty and injustice. He said, it was a continuation of the mode of reasoning that had prevailed in the last parliament, and had rendered it odious and infamous. The minister had talked in the same style again and again, and the consequence was, our present miserable and degraded situation. It was his old parliamentary language, and had ruined his country. The secretary at war's doctrine was, he said, a counter part of the same reasoning. He termed the regulations, established by the act of 1774, a design to obtain money under a pretence of establishing a political reform; and now, he said, the noble lord wanted to take away their trade, as he had formerly taken away their patronage and their purse. *Eundem negotiatorem, eundem dominum!* He had better carry away all the business of Leadenhall-street at once, and transact it at the board of treasury. His reasoning, to justify the violence and the force he was practising, Mr. Burke pronounced shamefully pitiful. The reasoning of the lion in the fable was less censurable — "This I seize," says the lion, "because I have got teeth; this, because I wear a mane on my neck; this, because I have claws; and this last morsel, not because I have either truth, reason, or justice to support me and justify my taking it, but because I am a lion." With regard to what the noble lord had said about the possibility, if the propositions were acceded to, of 600,000*l.* worth of bills coming upon the exchequer, just when the king's fleets and armies were to be paid, it was, he said, neither more nor less than an explicit confession that the noble lord had squandered every shilling of the immense supplies that had been voted for the service of the year, and that he was obliged to practise extortion, and force 600,000*l.* from the East India company, in order to enable himself to pay the king's fleets and armies. The House had expressed great satisfaction at a part of the noble lord's speech. Mr. Burke said it was the shouts of majorities at the appeals to the passions artfully made by

the noble lord, that had ever been constant fore-runners of some great national evil. No one step of the minister that led to disgrace, defeat, and ruin, but had been preceded by shouts and applause within those walls. In reply to the praise bestowed on the secret committees, that sat on India affairs in 1772, he said, their reports were the cursed Pandora's box, whence sprung out that dreadful calamity, the American war. To those reports were the worst of evils ascribable that had befallen this country for many, many years. He said the present motion was the daring effort of a minister determined on rapine and plunder, without regard to truth, honour, or justice; a violent and shameless attempt to rob the Company, in order to pursue the purposes of the most lavish waste and the most profligate corruption. The noble lord might truly be said to be *alieni appetens, sui profusus.* He conjured the committee not to join the noble lord and his adherents, saying, "Let us not deduce European supplies from Asiatic rapacity. Let us shew ourselves awake to the calls of reason and alive to the impulse of equity!" Mr. Burke concluded with saying, that he was sure, notwithstanding his endeavours, and those of every friend to justice, to prevent the motion from being agreed to, that such would be its fate, yet in discharge of his duty he would move an amendment. He therefore moved, that the following words be added to the motion: "No grounds having been laid before the committee, on which the right of the public to a participation of the territorial revenue of the Company are founded; or, if they have such right, no grounds to shew that they have a right to this particular proportion of the profits."

The committee divided on the amendment: Yeas 52: Noes 151. The original motion was then agreed to.

Lord North's Commission for examining the Public Accounts.

May 10.

THE order of the day being read, for the House to resolve itself into a committee for the purpose of taking the reports made by the commissioners appointed to examine, take, and state the Public Accounts of the kingdom, into consideration, the four reports made by those commissioners were referred to the said committee. After which, Lord North entered into an investigation of the subject, and concluded his speech with reading the three motions which he had to make. The first was for leave to bring in a bill to prevent delays in the payment of the money received by the receivers of the land tax, and for the better securing the same. The second was, for leave to bring in a bill to give security and indemnity to certain accountants on the payment of the balances in their hands into the exchequer. And the third, for leave to bring in a bill to continue and enlarge the provisions of an act made in the last session, for appointing a commission to examine the public accounts, and make their report to that House. The noble lord having moved the first of these propositions,

Mr. BURKE rose, and in a speech of the most poignant ridicule, charged the noble lord with having on that day given at once the most explicit evidence of his activity and negligence, of his capacity and his incapacity. He had shewn that, as the first lord of the treasury and chancellor of the exchequer, he had been negligent or incapable of his duty, and at the same time he had shewn by his speech of that day, that he had both the industry and the talents to comprehend what his duty was. He had been negligent or incapable in the execution — he was active and able in the conception, of his trust. The whole of the copious detail which he had given was clear, methodical, and accurate; so perfectly clear, that a pin might be seen at the bottom of it. He had shewn manifest knowledge of the regulations that were necessary, which must have required industry and exertion to acquire; and he had proved, at

the same time, that, knowing the irregularities of his office, he had failed to reform them. Mr. Burke drew into a most whimsical point of view the mighty and important advantages which we were to derive from the commission of accounts. It was throughout, in the very language of the noble lord, a trifle; perfectly insignificant in one part; totally impracticable in another; the reform would not be advantageous in a third; not worth the experiment in a fourth; perfectly useless in a fifth; and productive of inconvenience in a sixth. The noble lord had the word trifling in his mouth in every sentence. It was, in the words of the poet,

> "A trifling song you shall hear,
> Begun with a trifle and ended;
> All trifling people draw near,
> And I shall be nobly attended."

This was, in fact, the harangue which the noble lord had made in that House: for first, no advantage whatever was to be derived from any new regulation in the receipt of the land-tax. This was already collected as cheaply and as profitably as it could be. The consolidation of office was confessed to be a most advantageous object, and to be devoutly desired, and yet, in the wide range, system, and machine of government, no offices but the hackney-coach and hawkers and pedlars could be consolidated, and by this great and glorious reform the nation was to save the immense sum of three hundred pounds a year! This was all the consolidation that could take place, and even this was doubtful. In no other part of the receipt of the public revenue were there any advantages to be derived. Nothing could be got from the post-office, nothing from the stamp-office, nothing from the various offices! But to go to the treasuries — this important commission had discovered sums in the hands of different accountants, which might be paid into the exchequer, on granting them an indemnity. Good God! was it necessary to conjure up a commission of accounts to tell us this? Could not the first lord of

the treasury have discovered this for his country? Could not Lord North, first lord of the treasury, have applied to the paymaster of the forces, and have procured the 73,000*l.* in his hands? After being fourteen years chancellor of the exchequer, the noble lord could not without a commission of accounts discover that the public money, in the hands of private individuals, ought to be paid into the exchequer!

Mr. Burke proceeded in the same strain, and took the language of the noble lord himself as evidence of the inutility, the nullity, and the insignificance of this commission of accounts, which had done nothing but what the board of treasury could and ought to have done; but what the exchequer could and ought to have done; but what other offices, largely paid and little employed, could and ought to have done. So that this mighty machine had been contrived and set in motion to draw a cork — to do what other bodies ought to do, and to keep them in idleness when they should be employed. He ridiculed the whole scheme and shadow of reform. For this the plan of substantial reformation of last year had been rejected; for this the noble lord himself had opposed the bill which he had the honour to move in that House; for this he had turned a deaf ear to the bill which was introduced, and now contented himself with taking little inconsiderate portions of it, and bringing them forward as subjects of parliamentary attention. He had broken the comprehensive plan into fritters, and now presented them one by one, as sops, to deceive, not as a substantial feast, to satisfy the national desire. A full harvest of economy had been offered to the House. This the noble lord had rejected. He had himself promised a crop; and now it had come to the time of reaping, he went about picking up the leavings of the harvest, the hawkers and the pedlars, and holding up in his hands the few heads that he had gathered. Seducing the people with the prospect of something solid at least, he gave a whiff with his mouth, and blew them into chaff.

Mr. Burke, after treating this mockery of reformation with most severe censure, animadverted on the constitution of the noble lord's commission. He said that his language upon a former occasion had served to convince him how much wit the noble lord had; but the present had also shewn what was the power of face which he possessed. After declaring that he could never consent to see a commission of accounts, not erected of men, chosen by the people of England, entrusted with the guardianship of their property, he said he had nothing to hope nor expect from the inquiry that they should make into the extraordinaries of the army. The noble lord had been suckled with the milk of the treasury and exchequer; he had grown fat upon it; and he was enamoured of, and attached to, the old habits. "Train up a child in the way he should go, and when he is old he will not depart from it." This was exactly the case with the noble lord; he had been brought up among the abuses of the treasury and exchequer, and he would not now depart from them. He declared that he did not form a bad opinion of the consequences of the enquiry from any disrespect towards the members of that commission; but merely from the specimen set before the house that day, in which the noble lord had thought proper to reject every part of their reports that went to correct the irregularities and ill habits of office. They had shewn themselves to be men of sense, of integrity, and of ability, as public accountants. Their reports did them the highest honour and credit. As pieces of literary composition, he never saw style and manner so happily suited to a subject. It was neither too elevated nor too low, but clear, correct, nervous, and intelligible; as nicely adapted to the occasion as any pieces of writing he had ever read in his life. He hoped that the gentlemen would be well rewarded for their labours. Undoubtedly they ought to be paid, and paid liberally; and whenever that proposition was made, he promised to give it his hearty support; but he nevertheless would oppose continuing the commission, and that, not that he had the smallest objection to them as public accountants. If any

strangers were to be employed as commissioners, he knew none more capable than they had shewn themselves, but he would never give up the argument, that appointing commissioners, who were not in parliament, was a scandalous delegation of the authority of that House, and of powers which they held in trust only, and could not give out of their hands into the hands of others, in conformity to the old maxim of *delegatus non potest delegare*.

The several motions were then agreed to.

Mr. Burke's Motion for an Inquiry into the Seizure and Confiscation of private Property in the Island of St. Eustatius.

May 14.

THIS day, in pursuance of his previous notice,

Mr. Burke rose, and drew the attention of the House to the very important question of the seizure and confiscation of private property on the late capture of the island of St. Eustatius. He began with stating the very great consequence of the question on which they were about to enter. The eyes of Europe would be on the conduct of the British legislature in the present instance, and it would be exceedingly necessary to be cautious and grave, to be cool and impartial in their deliberations; perhaps the fate of Britain would depend on the result and decision of that question; for it ought to be remembered, that we stood in a new situation: we were engaged in a most calamitous war, in which we had many enemies and no friends. It was a situation unprecedented in the history of Britain, and called for all the wisdom and all the prudence of the government.

We ought not, by instituting a scheme of inhuman plunder and unjust oppression, to make more enemies, or to incense and provoke those with whom we were already involved. We ought, instead of pushing war to its extremes, to endeavour, by every means in our power, to moderate its horrors, and to commit no other depredations than such as were necessary to public success, or as contributed to national glory. Private emolument ought not to be received as an excuse for rapacity. By such civil regards, the resentments of our enemies might be softened; their enmity might be subdued, and their minds be brought to a favourable inclination towards peace. Or neutral nations, perceiving that, even in a struggle for our existence, we did not deviate from honour, might be brought to applaud the dignity of our sentiments as a people, and assist us in the conflict. But a contrary behaviour on our part was likely to provoke them to unite against us, and make the protection of human nature from plunder and robbery a common cause. They would not stand unconcerned spectators of the renovation of that system of havoc which it had been the pride of civilised Europe to execrate and explode.

Mr. Burke then called back to the recollection of the House the terms of the manifesto, published by Great Britain on the commencement of hostilities with the Dutch. That manifesto was published on the 20th of December; the terms and language of which threatened no inhuman cruelty, no uncommon severity; but, on the contrary, seemed rather to promise the short variance of old allies, in which all their old friendship and affection would operate rather as the softener than the inflamer of the common calamities of war. It breathed expressions of kindness and long suffering, and the menaces which it held out seemed to be torn by constraint from a heart bleeding under the affliction of unwilling strife. The harbinger was so gentle, that it was not to be feared that the war would be shocking. It was expected by men of both countries as no more than a temporary rupture, flowing from the rash petulance of the parties, and which their mutual good sense would, in the coolness

of deliberation, suddenly heal. The proclamations, with respect to letters of marque, &c. which followed the manifesto, warranted the same expectations. There was no predatory system threatened, nor powers granted of an unusual nature. Mr. Burke proved this by reading the various passages in these state papers, containing the language of the court, and the powers granted in the commencement of the war.

He now came to the transactions in the West Indies. The rapidity of the expedition against the island of St. Eustatius was a matter which begot suspicions, that the orders of government to the commanders on that station had not waited for the event of the declaration of hostilities; or else the circumstances of the affair were proofs of the vigilance and wisdom of our government, and of the promptitude, alacrity, and conduct of our commanders. But, in order to the due consideration of this very important question, it was necessary that all the circumstances of the situation and the time of the prospect, and the event should be attended to. First then, it was on the close of a most melancholy and general disaster, which happened in that part of the world; a hurricane which had involved all the islands in common suffering and common distress; when all that extensive branch of islands and settlements had been visited by the scourge of Providence, as a correction of their vices, or an humbler of their pride. At such a moment it might have been expected that the deadly serpents of war would for a time have been hushed into a calm in that quarter of the world: their stores of poison being exhausted, and wanting the recruit and fructification which the rich earth was accustomed to bestow, that they would have remained for a time mutual spectators as they were mutual sufferers, and would not have increased the stock of their distress, by adscititious calamities. The hurricane seemed the particular visitation of Heaven, as if the Deity had meant thereby to check the fury of mankind against each other, and reconcile them by the sense of their common necessities. Surely, when human pride was le-

velled in the dust, and we saw what worms we were beneath the hand of Omnipotence, it became us to crawl from our holes with a feeling of brotherly love to each other; to abate a little of our rancour; and not add the devastations of war to those of the hurricane. But it was not so with Britain; for even when the stern breast of rebellion melted with generous sympathy, and Dr. Franklin issued express orders that provision-ships should pass to the British as well as to the other islands without impediment or injury; even this was thought the fit and proper moment by our commanders for an expedition to St. Vincent's for the recovery of that island: an expedition undertaken with so little knowledge of the state of defence in which the island stood, that after the troops were debarked, and had reconnoitred the works and the garrison, they found it convenient to retreat without attempting the object of their expedition.

At this time, too, it was, that, in obedience to the orders of ministers, the expedition was undertaken against St. Eustatius. This island was different from all others. It seemed to have been shot up from the ocean by some convulsion; the chimney of a volcano, rocky and barren. It had no produce. Its extent was but thirty miles. It seemed to be but a late production of nature, a sort of *lusus naturæ*, hastily framed, neither shaped nor organised, and differing in qualities from all other. Its proprietors had, in the spirit of commerce, made it an emporium for all the world; a mart, a magazine for all the nations of the earth. It had no fortifications for its defence; no garrison, no martial spirit, nor military regulations. Its inhabitants were a mixed body of all nations and climates; not reduced to any species of military duty or military discipline. Its utility was its defence. The universality of its use, the constant neutrality of its nature, which made it advantageous to all the nations of the world, was its security and its safeguard. It had risen, like another Tyre, upon the waves, to communicate to all countries and climates the conveniences and the necessaries of life. Its wealth was

prodigious, arising from its industry, and the nature of its commerce. At the time of this expedition there were only fifty-five soldiers in the garrison, if such a place deserved the name of a garrison. There was, indeed, a building which, by courtesy and in compliment, might be called a fort. These soldiers, too, were of the worst description, for out of these there were only twelve men of colour. Against this island then, so circumstanced and so defended, the British commanders went with fourteen ships of the line, and several frigates, and a body of three thousand land forces on board. They had heard of no war being commenced. They had received no intimation of hostilities being begun or designed. But thus unprepared, naked and defenceless, they were summoned to surrender at discretion within an hour. That time, however short in point of precedent, was on this occasion not only sufficient, but ample. It was needless to hesitate where they could not resist. It required but little discussion or debate to resolve on what was to be done. The Dutch commander yielded up the dominion, the territory, the public property, and every thing that belonged to the United States, to the British commanders without any stipulation, and relying totally on the discretion, the mercy, and the clemency of the conquerors.

What was the discretion and the mercy of the conquerors? A general confiscation of all the property found upon the island, public and private, Dutch and British; without discrimination, without regard to friend or foe, to the subjects of neutral powers, or to the subjects of our own state: the wealth of the opulent; the goods of the merchant; the utensils of the artisan; the necessaries of the poor were seized on; and a sentence of general beggary pronounced in one moment upon a whole people. A cruelty unheard of in Europe for many years, and such as he would venture to proclaim was a most unjustifiable, outrageous, and unprincipled violation of the law of nations. It was accompanied, too, with cruelties almost unheard of in the history of those barbarous times, when war was

pushed to all its extremes of rigour, and when the sword and the firebrand were in concert. All the property had not only been condemned to one general indiscriminate confiscation, but the warehouses were locked up, and access was denied to the proprietors, by which they might have an opportunity of ascertaining the amount of their commodities, and securing their property by labels, or by inventories. Thus deprived of their merchandises, and all the honest profits of their labours, there remained, however, this ground of hope, that by explaining the nature of their misfortune to their correspondents in the neighbouring islands, or in Europe, they might procure a loan to form a new stock with, and by industry retrieve their misfortunes; but the next step was to seize on their books; by which they were divested of this last refuge of hope. All their circumstances were laid open; their weak sides exposed; and the places pointed out, by which malice or enmity might attack them with success. Was there known till that moment a more complete act of tyranny than this? It was unparalleled in the annals of conquest, but it was surpassed by what followed; for, the next act was to seize upon all their letters also, and their private papers. It was not enough that the secrets of their trade and their weaknesses should be laid open, but also that the secrets of their families should be discovered; the private calamities, to which all are more or less incident, and all anxious to conceal, and to suffer unknown, were exposed; and their miseries aggravated, by becoming a matter perhaps of derision and merriment to insulting plunderers.

It would have been conceived, that farther than this even inventive tyranny could not proceed; but it proceeded in this instance as much beyond the reach of common oppression as it did of common credulity. If the facts were not ascertained beyond a possibility of doubt, he could not have believed that such acts were perpetrated at such a day by British soldiers. The merchants and inhabitants, plundered and robbed of all that they possessed in the world, and of all the hopes that they had of having their

property restored; involved in all the calamities of want and wretchedness, thought it at least reasonable to exact that, destitute as they were of all the means of sustenance, and actually starving, upon application, a part at least of their own provisions might be remitted to them. They presented an application to the quarter-master general for this purpose; and what was the sublime, the generous answer which the gentleman returned? "Not a mouthful," was exactly his expression. Notwithstanding this answer, they made another application, in the confidence that so just a request would be ultimately complied with; still the answer was, "Not a mouthful." They presented a third representation, and they received still the same reply, "Not a mouthful, not a mouthful, if you were starving." Nor was this the extent of the oppression on the one hand, or of the suffering on the other. Their cash was seized upon; and thus effectually deprived of every thing but the liberty of drawing out a miserable existence, they had recourse to an expedient suggested by necessity, of making use of their former credit with their correspondents in the neighbouring islands, by drawing upon them for a temporary supply. Of this resource they were also deprived; for a proclamation was published preventing the issuing of such bills; nay, to such a length did the cruelty of this persecution go, that a bill which was found among the papers of a considerable trader in the island, drawn upon government, but not signed nor indorsed, was brought to the unhappy man, and he was forced, absolutely forced, to sign and indorse it, to his injury, if not to his ruin. After all these stages of unheard-of oppression had been successfully gone through, there wanted no more but an attack upon the persons of the unhappy people to finish the scene. He blushed, he said, to relate the sequel, for the honour of humanity, of this enlightened age, and still more of the Christian character. The persecution was begun with the people, whom of all others it ought to be the care and the wish of humane nations to protect, the Jews. Having no fixed settlement in any part of the world, no kingdom nor

country in which they have a government, a community, and a system of laws, they are thrown upon the benevolence of nations, and claim protection and civility from their weakness, as well as from their utility. They were a people, who, by shunning the profession of any, could give no well-founded jealousy to any state. If they have contracted some vices, they are such as naturally arise from their dispersed, wandering, and proscribed state. It was an observation as old as Homer, and confirmed by the experience of all ages, that in a state of servitude the human mind loses half its value. From the east to the west, from one end of the world to the other, they are scattered and connected; the links of communication in the mercantile chain, or, to borrow a phrase from electricity, the conductors by which credit was transmitted through the world. Their abandoned state and their defenceless situation call most forcibly for the protection of civilized nations. If Dutchmen are injured and attacked, the Dutch have a nation, a government, and armies to redress or avenge their cause. If Britons are injured, Britons have armies and laws, the laws of nations (or at least they once had the laws of nations) to fly to for protection and justice. But the Jews have no such power, and no such friend to depend on. Humanity then must become their protector and ally. Did they find it in the British conquerors of St. Eustatius? No. On the contrary, a resolution was taken to banish this unhappy people from the island. They suffered in common with the rest of the inhabitants, the loss of their merchandise, their bills, their houses, and their provisions; and after this they were ordered to quit the island; and only one day was given them for preparation; they petitioned, they remonstrated against so hard a sentence, but in vain; it was irrevocable. They asked to what part of the world they were to be transported? The answer was, that they should not be informed. Must they take their property along with them? No. Must they not then take with them their wives and children? No. The only information they could obtain was, that they must prepare

to depart the island the next day; and without their families, the very last comfort of wretchedness; — they must appear the next day at an appointed place to embark. The next day they did appear to the number of one hundred and one, the whole that were upon the island. They were confined in a weigh-house, a place, in some respects, similar to a turnpike-house, but strongly guarded; and orders were given that they should be stripped, and all the linings of their clothes ripped up, that every shilling of money which they might attempt to conceal and carry off should be discovered and taken from them. This order was carried into rigid execution, and money, to the amount of eight thousand pounds, was taken from these poor, miserable outcasts; and thus deprived of the fruits of their assiduity, and the comfort of their age, thirty of them were embarked on board the Shrewsbury, and carried to St. Kitt's. The rest, after being confined for three days, unheard of, and unknown, were set at liberty to return to their families, that they might be melancholy spectators of the sale of their own property.

Mr. Burke mentioned some particular instances of aggravated cruelty inflicted on the Jews while they remained in the weigh-house. One of these poor wretches had sewed up two hundred johannes in his coat, and the money was discovered; he was immediately turned from among the rest; and set apart for punishment, for having endeavoured to conceal some little remains of the wreck of his fortune. Two more Jews had been detected also in a breach of the order for delivering up all their money. Upon one of them were found nine hundred johannes. This poor man's case was peculiarly severe. His name was Pollock. He had formerly lived on Rhode Island; and, because he had imported tea contrary to the command of the Americans, he was stripped of all he was worth, and driven out of the island; his brother shared in his misfortunes, but did not survive them; his death increased the cares of the survivor, as he got an additional family in his brother's children to provide for. Another Jew married

his sister; and both of them following the British army, had for their loyalty some lands given them, along with some other American refugees, on Long Island, by Sir William Howe: they built a kind of a fort there to defend themselves; but it was soon after attacked and carried by the Americans: and not a man who defended it escaped either death or captivity: the Jew's brother-in-law fell during the attack; he survived; and had then the family of his deceased brother and brother-in-law, his mother, and sister to support; he settled at St. Eustatius, where he maintained his numerous family, and had made some money, when he and his family were once more ruined, by the commanders of a British force, to whose cause he was so much attached; and in whose cause he had lost two brothers, and his property twice. Another Jew, named Vertram, was treated with as much severity, nor had the commanders any pretext from his profession, for confiscating his property; he sold no warlike or naval stores to the enemy; he dealt simply in China wares; brittle emblems of the tenure he was to have in them! an order was given, and he was left a beggar.

These cruelties were soon followed by others as dreadful. The perseeution was not confined to the Hebrew nation. Another proclamation was issued, ordering all the Americans, without distinction, to depart the island. Those who had retired from their native country, that they might avoid taking a share in the dispute with Great Britain, as well as those who might have come there for the purpose of assisting America, were doomed to instantaneous banishment. The next was a proclamation, ordering all the French inhabitants to depart. The next was a proclamation ordering all the inhabitants, late citizens of Amsterdam, to depart; and, last of all, a proclamation, ordering all foreigners of every kind, and all but the settled inhabitants of the island, to depart. Mr. Burke animadverted with becoming indignation on all those shameful proceedings, and said they were not suggestions of imagination, they were not exaggerated by any factious spirit; they were

proved by the authority of the St. Christopher's Gazette, immediately on the issue of the transactions, with the authentication of the government there. The facts would also be proved by affidavits, if required.

He now gave a particular relation of the conduct of the assembly and inhabitants of St. Kitt's on these melancholy oppressions. The transported beggars of St. Eustatius came there, presenting before them miserable objects of distress and pity. The calamities were beyond the relief of private donation. Visited as they had been by the hand of Providence, they had hardly wherewithal to supply their own necessities; but out of the little that was left, they generously condescended, out of the common stock, to bestow a something. Mr. Burke gave an account of the several steps which they had taken for the recovery of their own property and that of the other sufferers. The British subjects in St. Eustatius might well claim respect and protection from British commanders, but they met only with insult and rapacity. The legislature of St. Christopher's took the matter up, being astonished at the unprecedented length to which the British commanders had proceeded; and after drawing up a strong remonstrance on the subject, sent it by Mr. Moore, and other gentlemen of the committee of the island of St. Christopher's, to the island of St. Eustatius. On their arrival, they were admitted to an interview with the admiral and general, in the great cabin of the Sandwich, where Sir George Rodney asked Mr. Moore if he did not bring a remonstrance. On which he produced it, and after Sir George had read a small part of it, he said, he could not possibly give any answer to it then; but, after he had considered it, that he should have an answer. Mr. Burke said, that the next day Mr. Moore and the other gentlemen were admitted on shore to an interview with Sir George and the general; where a conversation passed, of which Mr. Burke read an attested copy, it having been committed to paper immediately after the interview, and sworn to by the gentlemen of the St. Christopher committee. The conversation was various. The

admiral gave as a reason for the confiscation of the property, that they used St. Eustatius only as a deposit for their goods, and that they meant to supply the enemies of their country. And when it was answered to this, that they conceived that, by the Grenada act, the Tobacco act, and the Cotton act, they were justified in the commerce which they legally carried on at this place; that it was a commerce not only justified by British acts, but encouraged by the British government; they were told in reply, that those acts were foolish and idle; that they had been procured by factious men, for partial and pernicious ends." He could not but observe, that it was a very contemptuous treatment of the legislature of this kingdom, for any officer whatsoever, to pronounce acts, which it was his duty to see enforced, impolitic; and to say that they had been obtained by factious persons, and for partial views. The persons who had brought in the Grenada, Tobacco, and Cotton acts, were Lord Beauchamp and Sir Grey Cooper: the gentlemen on the other side of the House would not surely call those two members factious persons; and as the object they had in view was the augmentation of the revenue, it could not be said that they had acted for partial ends. The committee agreed upon the security which these acts held out to the merchants, whose stores the commanders had seized on, and said, that as the goods were legally stored under the sanction of the British legislature, they ought to be delivered up to the owners. Sir George replied, that he and the general did not come there to hear acts of parliament explained, but to obey his majesty's orders. On Mr. Moore's mentioning the possibility of retaliation from the French, Sir George said, "they dared not retaliate;" and after other conversation told them, that if they or any other persons thought themselves aggrieved, they might go to law for redress. No other interview took place, though a second remonstrance and petition was drawn up in St. Christopher's, and sent to St. Eustatius; and Mr. Glanville, the solicitor-general, by whom it was written and carried, could not procure an interview; but to the excellent re-

monstrance which he presented, received only an answer, that they had no time to attend to the memorial. Mr. Glanville's reply to some of those arguments was extremely ingenious and strong: Mr. Burke thought it a production worthy of any solicitor-general in the world. He particularly retorted upon the admiral, by saying, that if it was illegal in the merchants to send their property for sale to St. Eustatius, the naval officers had equally transgressed the law by selling their prizes there.

Having done this, Mr. Burke came to examine the proceedings, and entered largely into the investigation of that right which a conqueror attains to the property of the vanquished by the law of nations. These were the two questions to which he wished to draw the attention of the House. Under these circumstances, or even without all the aggravations of cruelty that had taken place, he declared, that the general confiscation of the private property found upon the island was contrary to the law of nations, and to that system of war which civilized states had of late, by their consent and practice, thought proper to introduce. Perhaps it might be said, there was no positive law of nations, no general established laws framed, and settled by acts in which every nation had a voice. There was not indeed any law of nations established like the laws of Britain in black letter, by statute and record; but there was a law of nations as firm, as clear, as manifest, as obligatory, as indispensable. First, it was a maxim generally established and agreed to, "that the rights of war were not unlimited." If they were unlimited, it would be ridiculous to say that there were laws of war; for as confessedly a law existed to regulate the practice of states in hostility with each other, if the rights of war were unbounded, it would follow, that the law placed limits to infinity. But this being the established maxim, he had it in his power to prove that there were certain limited and defined rights of war recognized by civilized states, and practised in enlightened Europe. First, he could prove that they were established by reason, in which they had their origin and

rise; next, by the convention of parties; thirdly, by the authorities of writers, who took the laws and maxims not from their own invention and ideas, but from the consent and sense of ages; and lastly, from the evidence of precedent.

Mr. Burke went largely into this description and proof of the rights of civilised war. From the authority of reason, he formed general opinions and sentiments, entertained and rendered maxims by consent and use; "that a king conquered, to acquire dominion, not plunder; that a state does not go to war with individuals, but with a state; and in the case of conquest, does not take possession of the private property, but of the public property of the state conquered." By this maxim the calamities of war are mitigated. They are not felt so severely by the private individual, by the citizen and the husbandman, the manufacturer and the merchant. This law, therefore, directs that the private property of individuals, in a territory surrendering at discretion, is not only to be spared, but to be secured. The very essence of war presumes offence, and offence reciprocity. But when surrendered upon summons at discretion, and without resistance, there is no reciprocity; and consequently there is not the essence of war. When men surrender, they are entitled to protection. There is a virtual compact in conquest, by which protection arises out of, and accompanies, allegiance. Can the King of Great Britain seize upon the property of his subjects at his will and pleasure? No: nor can he in the instant of conquest seize on the goods and effects of the conquered. Not only the King of Great Britain, but every monarch, however despotic, is bound down by the very essence of his tenure, to observe this obligation. For in all government there is a trust reposed. "Shew me a government," said Mr. Burke, "and I will shew a trust;" there must be a care where there is a dominion; and a king must abandon that trust, he must give up his royalty and his government, when he seizes upon the property of the subject; he must dethrone himself from the just dominion, when he becomes the unjust plunderer of his people; and when he thus departs from the character

and the dignity and the office of a king, to take up that of a robber and a spoiler, there is a sword in every hand to execute upon him the vengeance of human nature. The king, who should receive the surrender of a people, thereby admitting them within the pale of his government, and afterwards strip them of their property, must, in so doing, forfeit his royal authority, and be considered only as a robber. It was ridiculous to suppose, for a moment, that the subject could lose his effects, and all the benefit of regal protection, and yet be bound by the duty of allegiance; or that a monarch could retain that character when the whole property of the state was vested in himself: he might then be called lord of the soil, or sole possessor of it; but he could not arrogate the title of king. This is a principle inspired by the Divine Author of all good; it is felt in the heart; it is recognized by reason; it is established by consent. The rights of war were not thus limited by the learning of the schools, by the light of philosophy, by the disquisitions of councils, by debates of the legislatures, or by the sense of delegated assemblies. It originated in necessity, in reason, and in the field. The soldiers themselves introduced it; and being taught by necessity, which in all cases is the best tutor, they adopted, and they exercised it without having the assistance of lucubration. He now stated, that by the convention of parties, this law of nations was established and confirmed, Private property was exempted from the confiscation which followed public property on the issue of a conquest. A distinction was made in this virtual convention between property found afloat, and found ashore. For what reason that seized on ship-board was mutually agreed to be confiscated he could not tell. The time was not far distant when even that inhuman species of war would be abolished; but certainly the convention made a difference between the goods found ashore, and those found afloat.

He called upon the House, and defied them even to mention one instance besides the present of a general and indiscriminate confiscation that had occurred within the

last fifty years on any conquest or surrender by discretion. There was no such thing. This was the instance that had occurred to stain and disgrace the age, and the country, and the cause. As to the authority of books, he thought them the weakest part of the argument, although they had collected the wisdom of ages, and had connected it with that of their authors' sagacity, judgment and sense. He quoted Vattel as being the latest and best, and whose testimony he preferred; because, being a modern writer, he expressed the sense of the day in which we live. As to the testimony of precedent, as he had mentioned before, not one instance had occurred for the last fifty years. The last precedent of a surrender at discretion he considered as the best to be adduced. The case of Grenada was the latest. There the island surrendered at discretion, but not without resistance, like St. Eustatius. The conquest was contested, and was won with a profusion of blood. What was the consequence there? The Count D'Estaing, though a man by no means remarkable for the weakness of his nature, did not venture to make a general confiscation of the private property of the inhabitants, or to go to the lengths of cruelty and oppression lately practised at St. Eustatius. He indeed went farther than he ought, in framing certain regulations of a severe nature against the estates of absentees, and to other objects: but on application to the French king, he gave full and ample redress; he countermanded the orders of Count D'Estaing, and secured to every merchant, planter, and inhabitant the full and quiet possession of their property.

Mr. Burke having, in a variety of most beautiful and forcible arguments, enforced the doctrine of the law of nations, with respect to the security which ought to have been given to the private property of the Dutch in that island, came to speak to the question of the confiscation of British property in that island. In this he answered very fully all that had been suggested by the commanders upon that station in justification of their conduct, "that they made St. Eustatius a deposit for the supply of the enemy." If this was true with respect to the inhabitants in general,

it was a good cause for going to war; but it was a doctrine universally established, that when war is once declared and instituted, the belligerent powers are to treat one another as having mutually justice on their side, until the final issue is known. So that though the perfidiousness of the Dutch might be a just cause for going to war, it was no excuse for aggravating the horrors of it. Every war presumed an offence on the one part, and when the cause was referred to this mode of decision it was to be considered as *sub judice*, during which time both parties were entitled to the same treatment; for it was a first principle in the law of nations, as laid down by every writer, that to expound the rights of war, we must conceive each party to have justice on its side, and every thing preceding the commencement of hostilities must be forgotten in that exposition. To make the island of St. Eustatius a deposit was no crime. In the spirit of merchandize, it could not be a deposit, without also being a market. The merchant does not carry his goods to a place to lay them up, but to sell them; and it was the known, established, and admitted principle of St. Eustatius to be a mart for all the world, and consequently equally advantageous to us as to the enemy. We had thrown open Dominica upon the same principle. That had been taken from us, and the moment that we procured a new Dominica we threw away its advantages. But if it was a fault to send goods to St. Eustatius, and there to sell them, it was a fault for which the legislature of this country were answerable, and not the merchants; for they had encouraged them to the trade. They had passed positive acts, inculcating in the most express terms this traffic, in which acts, the Grenada act, the Tobacco act, the Cotton act, the general good of this country was consulted; the revenues were enlarged, the manufacturers promoted, and the merchants enriched. These were the acts declared by our commanders to have originated in faction for bad ends. It was by them, however, that ministers had been enabled to say, that the commerce of this country, and the manufactures of this country, had not

suffered by the war. But this species of traffic had been recognized by his majesty's ministers in every possible manner. Nay, on this very principle of sharing the advantages in common with the enemy, to be reaped by the establishment of a neutral mart, the minister had but the very last week defended the proclamation for giving up the right of Britain to chastise her enemies, or fight her cause in the Baltic. The merchants of Britain traded to St. Eustatius under positive acts of parliament; and if the traffic was improper or pernicious, only parliament should be blamed. "But they supplied the enemies of their country;" so did the very men who confiscated their property, and deprived them of their rights. They advertised their merchandize at a public auction, and invited all the neutral islands to come and purchase; nay, for the convenience of these neutral powers, advertised that small vessels would be sold also to carry it off the island. It was accordingly transported to French and American settlements, and also to the Danish islands of St. Croix and St. Thomas; from which the Americans, French, and Spaniards might be supplied. It was treachery in the merchants to sell their property to the enemy; it was right in the commanders-in-chief to do so! The act of confiscation changed the nature of the market. Mr. Burke dwelt with great energy on this part of the conduct of the commanders-in-chief. He said the whole property had been sold for one-fourth part of its value, by which means the enemy had been supplied by government at a much cheaper rate than they otherwise could have been, and a whole people ruined besides.

But, if the enemies of Great Britain were supplied from St. Eustatius with stores, it was an advantage that was not exclusively theirs; they enjoyed it in common with the English and the rest of the world; we likewise got supplies from it; and in 1778 our windward islands would have been starved if they had not been relieved from St. Eustatius. If the Dutch had supplied the enemy with stores, and had not refused to sell them to us, then perhaps we might have had cause to complain: but they had formed

an alliance with ready money, let it come from whom it might; and nothing was ever withheld from any one who called for supplies with ready money in their hands. It was known that the Dutch at St. Eustatius had, for money, furnished us with cordage, provisions, ammunition, and even men, for an expedition against the Spaniards; and that they also defeated that expedition, by selling for ready money also to the Spaniards, the very same kind of commodities, men only excepted. The island, therefore, was a common blessing; and as it was opened to us by acts of parliament, our commanders-in-chief ought to have felt themselves bound by a double tie not to confiscate the private property; and it was reasonable to presume that they would not have done it, if they had not positive orders from ministers at home for all that they had done.

He was also exceedingly severe on the observation of the commanders, "that the British subjects might have redres in our courts of law." What! when they had no marks to distinguish their property, no possibility of ascertaining its value, or of watching its sale! What! when they were robbed of their last shilling, and deprived of all the means by which the prosecutions could be carried on! By the exultations from the treasury-bench, when that passage of his letter was read, it was to be concluded that ministers applauded such an answer to their complaints. True it was, they might recover their property by law, but at the same time those men should be punished who drove them to the necessity of doing so. It would be a strange justification, should the crown lay hands on all the property in this country, to tell the parties injured, the courts are open unto you. But how were many of the sufferers to prosecute the offenders? Stripped as they were of their possessions, how were they to pay the expences of a lawsuit, while their antagonists might combat with their own money? He mentioned the case of a gentlewoman, whom at the recommendation of a lady, not more distinguished for her rank than for her benevolence, he had endeavoured to serve in the city. This lady had many children, and had

been married to an Englishman, who had acted as a captain to a Dutch trader, and had been absent sixteen years; during all which time he had made his family frequent remittances, and about two years ago had sent his wife word that after three more trips, he intended to make up his savings, and come and end his days with her and his children in peace and comfort. It happened that for sixteen months she got no tidings of him; and lately, to her astonishment and despair, not only discovered that he was dead, but that his property amounted to something more than 8000l. which was in the island of St. Eustatius, when that island was captured, and the whole of it was seized and confiscated; so that she and her children were reduced to a state of absolute beggary, without in any wise meriting so severe a misfortune. Mr. Burke heightened the pathos of this affecting case, and put it home to the bosoms of the House, in a manner that could not but rouse and excite the pity and compassion of every gentleman present. But she must go to law, destitute perhaps of the common necessaries of life; she must go to law with the rich conquerors of St. Eustatius, armed with all the plunder which they had seized, and backed by the powers and interest of government! The poor unhappy lady, deprived also of the certificates of her fortune, was prevented from proving her property; for these conquerors wisely took care that the books, inventories, and vouchers, should go along with the property, and not remain to be brought up against them in the day of restitution.

The admiral's ideas concerning the retaliation of France, he reprehended severely: "She would not dare to do it." What was this but provoking the enemy to exercise that power already in their hands, by revoking the immunity granted to our fellow-subjects in Grenada? the inhabitants of that island would then have to curse the injustice of our government, but could not reasonably complain of their conquerors. He instanced the case of Mr. Simon, an old gentleman of ninety, whose credit formerly stood highest at the exchange, who now saw himself cut off from a profit-

able trade by which he used to clear 18,000l. a year. He had been brought over in his infancy to escape from the persecuting tyranny of Louis the Fourteenth, but he had lived to see tyranny change sides, and to see himself ruined by the severity of the English government, at the very time that Louis the the Sixteenth was setting the brightest examples of humanity and justice.

It was not extraordinary that a man sitting on a great gun in a ship's cabin, should hold language like that of Admiral Rodney; for however much he respected his naval character, his judgment as a lawyer could not be expected to have any weight; but to see ministers of this country echoing and applauding such maxims was strange indeed. But he did not want the testimony of Sir Samuel Hood to convince him that it was not Sir George Rodney that had been the author of these shameful proceedings, but his majesty's ministers. Mr. Burke spoke of the whole plan, which they had adopted and pursued, as infamous and unbecoming to the last degree: from the unsuccessful attempt on St. Vincent's to the destructive overthrow of St. Eustatius. An order from a noble lord, formerly a secretary of state for the American department, and now again employed in another department by his majesty, had driven the Caribbees to desperation; and this attempt upon the island, at such a time, had renewed all their antipathy to the English; the retreat of our commanders having deprived them of an opportunity of being revenged upon our soldiers, they turned their rage against the British inhabitants, who then resided there, under the protection of the French; and such was the sense the Caribbees entertained of the infamy of an attack upon the island, immediately after the visitation of heaven, that they would have sacrificed to their resentment all the British on the island, if the French commandant had not, by the most strenuous exertions, screened them from the fury of the savages. Defeated in our hopes against St. Vincent's, our commanders expected, that they might have been able to reduce Martinique and Guadaloupe by famine, in conse-

quence of the destruction of provisions by the late hurricanes; but we lost the opportunity of shewing that we were inhuman, and had not the satisfaction of starving either of these islands into a surrender.

Their attempt on St. Eustatius had been more successful, and it seemed to fill ministers as well as officers with transport, that they had been able to conquer a people that did not resist, and plunder them when they surrendered to their mercy. Mr. Burke concluded with a solemn appeal to the House, whether it was fit that the legislature of Great Britain should be the first to plunge Europe into all the horrors of barbarity, and institute a system of devastation, which would not only bring disgrace, but in all probability ruin upon ourselves. He wished to bring the matter properly before the House, that they might be fully possessed of the facts before they proceeded to a decision; for he sincerely wished them to be deliberate, to be impartial, to be disinterested. It was a question as important as any one that had ever come before them, for it was from their conduct that Europe was to learn the system of Great Britain, and by which they were to be forced to regulate their own: he therefore moved,

"That an humble address be presented to his majesty, that he will be graciously pleased to give directions, that there be laid before this House, copies of all proclamations, memorials, orders, and instructions, and of all official correspondence from and to any of his majesty's ministers, relative to the disposition of the property belonging to the States General and to individuals, inhabiting or interested in the places or territories taken from the said States General in the West Indies."

The motion was supported by Mr. T. Stanley, Mr. Thomas Townshend, Mr. Byng, Mr. Fox, and other members of the opposition, who seemed to contend with the honourable mover, in representing the transactions at St. Eustatius, as the most impolitic, the most disgraceful, and the most dangerous of any that were ever recorded in the history of this country. Lord George Germain, and Mr. Dundas, the lord advocate of Scotland, were, in point of argument, the principle opposers of the motion.

Mr. BURKE concluded the debate with a speech in which, with his usual force of argument, mixed with powerful wit, he answered every thing that had been advanced in opposition to his motion. The mode of reasoning that had been adopted, he said, gave him at least this consolation: it shewed him that ministers were ashamed of the orders which they had given, and could not treat the question fairly. Where there was shame there was hope. They saw and felt the danger of their conduct, and were anxious to throw doubt upon it, wishing to conceal that it originated from their instructions, and leaving the army and navy responsible for the disgrace, and for the consequences. He said there was not one argument that deserved a serious reply. The honourable captain who spoke early in the debate *, confined himself to an argument on the propriety of the navy sharing in booty captured on shore, in common with the army. Surely, in all joint expeditions it was a thing clearly known and established, that they shared agreeably to the arrangement made by themselves. But was this a reason for sharing in the illegal booty? for plundering where they subdued? for becoming the tyrants instead of the governors of the territory which they invaded? Surely not. The noble lord who had followed him †, had entered more largely into the question; and he had been answered as fully by his honourable friend ‡; all the argument that he had advanced was, that the capture of St. Eustatius was a new one, different from that of Grenada and from every other; and therefore the conduct observed on this occasion was not to be measured by others. In what respects did it differ? It was well pointed out by his honourable friend, that it differed only in circumstances; which ought to have rendered the property more sacred, because, as he had said before, there wanted the very essence of war, reciprocity; and consequently the inhabitants were entitled to protection by the most powerful of claims.

* Captain John Luttrell. † Lord George Germain. ‡ Mr. Fox.

The learned lord advocate * had advanced some arguments truly singular. He had told the House, that they ought not to comply with the motion, because, if they were to come to a resolution that the proceedings had been criminal, they would effectually condemn one or other of the parties, since it must be either the commanders or the ministers that were guilty. The caution of the learned lord was very laudable. The subsequent evidence would be short; establish the facts by the production of the papers, and his majesty's ministers can lie no longer concealed; have mercy then on his majesty's ministers; you cannot decide on the question of policy without involving the question of guilt; the safety of the ministers depends on your rejection of the motion; and therefore you cannot, in this instance, consult the benefit of your country, since a nearer and dearer object is to be preserved; the object of our gratitude, as he is the author of our political being, the man in whom we live and move, and from whom all the good things of this life are derived; he is to be destroyed by the success of the motion; and therefore save the minister, and let the empire take care of itself. This was the true language of the learned lord; a sort of language to which they were pretty much accustomed of late, and which was always found to succeed to admiration. It was always the conclusion of every harangue, whatever was the beginning: when argument was exhausted; when evasion failed; when law had no more quibbles to confound, nor eloquence to confuse: "Oh, save the noble lord!" is still the last. He trusted that this argument would not always prevail, when it came to this short issue; whether we must part from the minister or from the empire; and he believed that we did not want much in our journey to that period; then the noble lord in the blue ribbon would have a woeful proof of the instability of that friendship which was founded in interest, begun without esteem, and continued without affection.

* Mr. Dundas.

Mr. Burke took notice of the light manner in which the learned lord had spoken of the calamities which had been suffered at St. Eustatius; calamities unparalleled in the history of modern war, and which would leave a melancholy proof behind them, that however the lights of philosophy might teach man to bear miseries, they had not yet taught Britons to forbear to inflict them. It was light matter, then, in the opinion of the learned lord, and to be considered merely as a matter of course, incident to war, and inseparable from the capture of an island, to pronounce a sentence of beggary upon a whole people; to separate the most tender relations of nature; the husband from the wife, and the parent from the child; to tear asunder all the ties of a community, the numerous branching affections of a happy society; to divide them at once, and, by one fatal stroke of a conqueror's sword, cut that Gordian knot which linked them together by a social chain; to pronounce a sentence of partial banishment, more severe for not being general; and to hurry them in one rude moment to countries where they must not only be aliens, but beggars: all this, in the learned lord's conception, was no more than the common consequences of war, which commanders might inflict without dishonour, and the conquered ought to submit to without complaint.

Having with equal poignancy commented on other arguments urged by the learned lord, Mr. Burke returned to the real question before the House, and called upon gentlemen to be serious, for it was a serious moment. The predicament was solemn. We must not sport with consequences so dreadful, nor avoid a question so necessary to be determined on broad, impartial ground, for the sake of saving a minister, or of supporting a party. If retaliation was to be dreaded, it was better surely to prevent than to punish it. Heaven knew we were not in a situation in which we held the power of punishment in our hand; struggling for our existence, we had to court the kindness and lenity, not the resentment and retaliation of nations, that we might by our sufferings gain a friend, if we could not command one

by our power, nor secure one by our respect. In short, if either empire or character was dear to us as a people; if we were not degraded in sentiment as well as in rank; if we were not grown barbarous as well as desperate by our calamities, we must by a resolution of parliament atone for the misconduct either of our commanders or of our government. If we must fall, let us at least perish with honour. Let us not, with the loss of independence, lose also our good name as a people. Let us not, in the last moments of our existence, so far forget the true road to glory, as to outrage the enemy we cannot overthrow. If the difficulties of our situation are daily increasing, let us see what reinforcement we may gain from hope; if not, what resolution from despair. By noble and strenuous enterprizes, we may prevail and triumph; the nations will not suffer us to be crushed, if we preserve our virtue. Providence, approving of our exertions, will stretch forth the powerful arm to save; and if we fail, we shall die lamented; even our enemies will do us justice; and history will applaud our name.

The House divided on Mr. Burke's motion: Yeas 86: Noes 160. So it passed in the negative.

ORDNANCE ESTIMATES — STATE OF PENSACOLA — RELIEF OF GIBRALTAR, &c.

May 21.

THE House being in a committee of supply, Sir Charles Cocks opened the extraordinary services of the Ordnance for the current year, and moved that the sum of 252,104*l.* 3*s.* 4*d.* be granted for that purpose. Upon this occasion,

Mr. BURKE spoke for some time in a humorous style on the present ordnance extraordinaries: he said the first

estimate from that board he considered as a substantial dish, the roast beef of the table; the extraordinaries now to be voted were the second course, rather less substantial; and by and by a tolerably expensive desert of 65,000l. cost was to be brought before them. He had once been one of those ill-informed persons who believed that the office of ordnance was inconvenient and useless, and might be abolished without injury to the public service. He was now, however, of a contrary opinion, for they shewed such address and skill in preparing the defence of their country, that they deserved the highest commendations. Inquire where this defence, these forts, and batteries are! Oh! no, by no means; that would give information to the enemy; they go on a more ingenious plan. They write up "spring guns and steel traps are set here," but they do not point out the exact places, for then the enemy would not fall into them. It was impossible, he said, for any man to discover whereabouts our batteries and fortifications were placed; they were absolutely invisible, and yet so wonderfully well disposed, that whenever an enemy attempted to invade or march through our territories, he would be certain to find himself all of a sudden exposed to the fire of our cannon, or stopped in his progress by our intrenchments. This was a kind of inchanted island, wherein, like that at Drury-lane, the ground was covered with trap-doors and pit-falls, and he was sorry to add, that, like that, when the curtain dropped, we should probably find the whole a kind of farce. So he supposed these fortresses that were built, God knew where, would spring up and catch the French, let them attempt to attack us wherever they chose. Thus our inchanted island would produce new defences at the will of that board of magicians, the board of ordnance; and though no Englishman was to know where they were, the French would find them to their cost whenever they approached. He wished these new defences might not be found, as some of our old ones had been in times of danger, to be forts without guns; or else, forts mounted with plenty of guns, but without men enough to fight them.

This invisible system of theirs had been very successful. But, however, their works were not all invisible. Their ramparts, and their batteries, and their strength, were invisible in every place but in that House. There they erect their fortresses, and there they plant their artillery; and if their cannon succeed there, they are neither careful nor anxious for the defence of their country in any other part. If the place and the pension be saved, the point is gained.

Mr. Burke commented with equal pleasantry on other parts of the account. He noticed the expenditure of 17,000l. in building barracks and an hospital in Tobago, as a shameful waste of money; all this money being laid out merely to lodge two companies of soldiers. The account was a perfect jack-o'-lanthorn. A person did not know where to have it. It led him from place to place with the most ingenious artifice. It was entitled on the back "Estimates of the ordnance for the land service." And no sooner do you open it, and begin to read, but you are carried to sea. You wish to examine how, after the sum granted by parliament for the ordinary expence of the sea service, which in all former periods had been deemed nearly sufficient, so large a sum should now be required for that branch of expence. Oh! you are immediately answered, you must consider the sum expended in the land service. Inquire then how so much should be spent in the land service, and you are instantly launched again upon the wide ocean. In a word, he found that in those estimates,

> Where so much sense and skill go hand in hand,
> The more we read, the less we understand.

Mr. Burke himself, as well as the House, laughed at this distich. He assured them the verses were extempore, and had come from him without his intending it; but gentlemen well knew the observation of Juvenal,

> Si natura negat, facit indignatio versum.

He said, there were complaints abroad, that though it was boasted of as an excellence, that our powder was made at

home, yet the Spaniards' powder would reach us at Gibraltar, while ours would not reach them. This called for inquiry. He had often known the word homebrewed serve as an excuse for the most execrable beverage that could be set upon the table; and thus, though the landlord thought it enough to say that his liquor was home-brewed, the guest suffered by it; and this might possibly be the case with our powder sent to Gibraltar. Another matter, Mr. Burke observed, deserved notice, and though it was but a rumour, yet that rumour was so generally credited, that he thought the affair ought to be ascertained, and if it turned out to be true, blame, and severe blame must lie somewhere or other. What he alluded to was, the report, that from some neglect, the garrison of Gibraltar was left so destitute of powder, that Admiral Darby was obliged almost to strip his fleet, in order to leave 2000 barrels in the magazine of the garrison. He called upon some one or other of the commissioners to inform the House what they knew in respect to this fact. It was exceedingly material, that neglect, so dangerous and blamable, should be inquired into. He took notice of the singular reason that was given for going to the expence of 20,000*l.* for erecting a fort in Florida. It was a very large sum, and the consolation that the House received was, that it had been the means of putting the enemy to the expence of more blood and treasure than it was worth. We seemed only mindful of the expence to which we put the enemy. If we put the enemy in any expedition to a little more expence than we incurred ourselves, it was held a sufficient reason for our waste and extravagance. He compared Pensacola to an impure of fashion, and said, the repeated charges for its works being repaired and strengthened, and arguments used in justification of the expence, on the ground, that notwithstanding it cost us a great deal, yet, if the Spaniards took it, it would cost them a great deal more; reminded him of one of those ladies, who, though extremely coarse and ill-favoured herself, yet having been talked into a reputation by the polite

world, was first kept by a man, till having ruined him, she gave her company to a second of greater fortune; which having wasted, she passed on to a third; and so on till she had ruined the whole set, each of her keepers consoling himself with the idea that his successor in possession of her charms, would unavoidably be reduced to beggary by her extravagance as well as himself. Mr. Burke here gave way to the liberal impulse of his mind; and as a lover of the arts, which give true grandeur to a country, said he would not agree with an honourable friend, that the building of the Royal Academy was a matter to be complained of. For a great kingdom to adorn its metropolis with magnificent buildings was, he thought, at all times wise and justifiable; but that was not the only defence to be made for the erection of the Royal Academy. The congregating and bringing together a great variety of offices, had, from various motives of convenience and dispatch, been a matter much desired. The ruinous state of Somerset House, and the large site of ground it stood on, added to the eligible situation of the spot, all combined to prove that the space occupied by a falling and deserted palace, would be very usefully filled with an assemblage of public offices. On that idea, the old palace was purchased for the public, and on the ground on which it had stood, an immense pile of buildings had been raised. No man, who looked at the present state of the works going on there, would think that the money had been wasted, or lavishly employed; the structure already erected answering for every pound that had been voted, so satisfactorily, that a doubt could not remain in any spectator's mind as to the honesty and care of the application of the sums that parliament had granted for the service. The buildings were upon an immense scale, and when completed, would be of infinite utility. He saw, therefore, no reason to complain that a splendid front had been erected, and that, as you entered the portal of public office, you passed the seat of elegance and taste on the one hand, and the seat of learning and philosophy on the other. Such a building did honour to the present

age, and would render the metropolis of Great Britain famous throughout Europe. These were not among the deeds of the board of works that he should disapprove of: when he saw value for the public money; when there was so much national grandeur and magnificence for so many guineas, he would never complain. It was their invisible works to which he objected; works which were never discovered, nor discoverable, except in the estimates of expence which they laid upon that table.

MR. HARTLEY'S MOTION FOR A BILL TO RESTORE PEACE WITH AMERICA.

May 30.

THIS day Mr. Hartley moved, "That leave be given to bring in a bill to invest the crown with sufficient powers to treat, consult, and finally to agree, upon the means of restoring peace with the provinces of North America." The motion was supported by Sir Philip Jennings Clerke, Sir George Savile, Mr. Thomas Townshend, Mr. Fox, and Mr. Burke; and opposed by Lord North, Lord George Germain, Sir Henry Hoghton, and Mr. Welbore Ellis.

Mr. BURKE said, there were but two orders of speakers that day, the country gentlemen and the ministers; no less than the two principal of the latter had figured in that debate, and though we were now in the seventh year of the war, had presumed to stand up and tell that House, that the majority of the Americans were loyally inclined towards this country. If they were so, why was the fact to rest on the thread-bare assertion of the noble secretary for the American department? An assertion which had been repeated again and again for seven years together, and yet the noble lord had said, that the minority awed

and governed the majority, who were without arms; if this were true, and the fact which the House had so often heard, namely, that Washington's army were never, taking it at the largest allowance, above a few thousands; how came it when we had not the minority, but the majority armed, that we had not long since put an end to the war? According to the story of ministers we had not only the majority unarmed, but also the majority armed; and yet the small, wretched, starving, and spiritless minority, armed, and unarmed, had effectually withstood all our efforts, and were likely to withstand them.

He insisted, that the noble lord's argument relative to his majesty's commissioners having it in their power to declare those who returned to their allegiance, in the king's peace, was neither more nor less than a renewal of the argument made use of at the commencement of the war, when the noble lord had insisted on unconditional submission. In order to prove this, Mr. Burke appealed to the understanding of every gentleman present, whether being in the king's peace did not mean a throwing down of arms, and a party putting itself wholly at the mercy of his majesty? And if that was admitted, surely the king's peace was synonymous with unconditional submission. For what were they to do before they could be entitled to the benefits of such a proclamation? They must throw down their arms, abandon all the principles of resistance, return to their allegiance, and all this they must do without any condition on the part of government; for until they had done all this, the crown had not the power, in consequence of this clause in the prohibitory-act, to declare them to be in the king's peace. Thus, by the candid openness of the noble lord, the House had at last heard it declared what was the purpose of this war; that it was unconditional submission, and had been so all along. If they had at any time deviated in appearance from the pursuit of this object, it was only to pay court to the feelings of man, or like losing gamesters, who would play for any thing rather than give over; but however they might rove for a time, they

always returned to this point, as the object of their ambition, and the mistress of their hope. He begged, then, that the country gentlemen would be no longer deceived. He begged them to attend to the declaration of a minister, and learn what it was they were fighting for. It was not for the supremacy of parliament; it was not for national honour; it was not for a re-union upon liberal principles; it was not for revenue; it was for unconditional submission.

With great severity he animadverted on Lord George Germain's expression, that the ministers had as much to sacrifice as other gentlemen, they had their stake in the hedge. It was true, they had so; their places, their honours, their emoluments were their stakes. In fact, they wanted to demolish the hedge and the stakes of others; they surrounded their own stakes with the stakes of their neighbours; they exposed the latter to danger, and were only anxious to save their own. In other words, they wanted to make up their own fortunes out of the ruin of their country; a ruin which they had brought on. The American war, and the continuation of the ministers in office, went hand in hand: if the former was at an end, the latter must infallibly lose those places which they presumed to consider as their stakes. His majesty's ministers and the American war were like the porter's breech and the nose of Taliacotius. There was a sympathy between them, which rendered them constantly dependent on each other:

> "When life of parent bum is out,
> Off drops the sympathetic snout."

So, with the American war, must their places and their pensions very sympathetically expire. He pushed this simile somewhat farther, and introduced the refugees who formed a part in the body of the war, and the very foulest part too, for they were to ministers what the porter was to Taliacotius, the breech out of which the nose was taken. Mr. Burke concluded with seriously reproaching ministers

for the shameful system which they had pursued with respect to America, and loudly called upon the House to accede to the motion, by which ministers would be forced to do their duty.

The House divided on Mr. Hartley's motion: Yeas 72: Noes 106. So it passed in the negative.

MR. FOX'S BILL FOR THE REPEAL OF THE MARRIAGE ACT.

June 15.

THIS day, on the motion that Mr. Fox's bill for the Repeal of the Marriage act be read a second time, a debate of some length took place. The motion was opposed by Mr. Ambler, Mr. Yorke, Mr. Jolliffe, and Mr. Burke; and supported by Sir George Yonge, General Burgoyne, Mr. Courtenay, Earl Nugent, and Mr. Fox. The following brief report of what Mr. Burke said upon this occasion was found amongst his MSS. after his decease:

Mr. BURKE said:

This act [the marriage act] stands upon two principles; one, that the power of marrying without consent of parents should not take place till twenty-one years of age; the other, that all marriages should be public.

The proposition of the honourable mover goes to the first; and undoubtedly his motives are fair and honourable; and even in that measure, by which he would take away paternal power, he is influenced to it by filial piety, and he is led into it by a natural, and to him inevitable, but real, mistake, that the ordinary race of mankind advance as fast towards maturity of judgment and understanding as he does.

The question is not now, whether the law ought to acknowledge and protect such a state of life as minority; nor whether the continuance, which is fixed for that state, be not improperly prolonged in the law of England. Neither of these in general are questioned. The only question is, whether matrimony is to be taken out of the general rule, and whether the minors of both sexes, without the consent of their parents, ought to have a capacity of contracting the matrimonial, whilst they have not the capacity of contracting any other, engagement. Now it appears to me very clear, that they ought not. It is a great mistake to think, that mere animal propagation is the sole end of matrimony. Matrimony is instituted not only for the propagation of men, but for their nutrition, their education, their establishment; and for the answering of all the purposes of a rational and moral being; and it is not the duty of the community to consider alone of how many, but how useful, citizens it shall be composed.

It is most certain, that men are well qualified for propagation long before they are sufficiently qualified even by bodily strength, much less by mental prudence, and by acquired skill in trades and professions, for the maintenance of a family. Therefore to enable and authorise any man to introduce citizens into the commonwealth, before a rational security can be given that he may provide for them, and educate them as citizens ought to be provided for and educated, is totally incongruous with the whole order of society. Nay, it is fundamentally unjust; for a man, that breeds a family without competent means of maintenance, encumbers other men with his children, and disables them so far from maintaining their own. The improvident marriage of one man becomes a tax upon the orderly and regular marriage of all the rest. Therefore those laws are wisely constituted, that give a man the use of all his faculties at one time; that they may be mutually subservient, aiding and assisting to each other; that the time of his completing his bodily strength, the time of mental discretion, the time of his having learned his trade,

and the time at which he has the disposition of his fortune, should be likewise the time in which he is permitted to introduce citizens into the state, and to charge the community with their maintenance. To give a man a family during his apprenticeship, whilst his very labour belongs to another; to give him a family when you do not give him a fortune to maintain it; to give him a family before he can contract any one of those engagements, without which no business can be carried on, would be to burthen the state with families without any security for their maintenance. When parents themselves marry their children, they become in some sort security to prevent the ill consequences. You have this security in parental consent; the state takes its security in the knowledge of human nature. Parents ordinarily consider little the passion of their children, and their present gratification. Don't fear the power of a father; it is kind to passion to give it time to cool. But their censures sometimes make me smile; sometimes, for I am very infirm, make me angry; '*sæpe bilem, sæpe jocum movent.*'

It gives me pain to differ on this occasion from many, if not most of those, whom I honour and esteem. To suffer the grave animadversion and censorial rebuke of the honourable gentleman who made the motion; of him, whose good nature and good sense the House look upon with a particular partiality; whose approbation would have been one of the highest objects of my ambition; this hurts me. It is said, the marriage act is aristocratic. I am accused, I am told abroad, of being a man of aristocratic principles. If by aristocracy they mean the peers, I have no vulgar admiration, nor any vulgar antipathy, towards them. I hold their order in cold and decent respect. I hold them to be of an absolute necessity in the constitution; but I think they are only good when kept within their proper bounds. I trust, whenever there has been a dispute between these Houses, the part I have taken has not been equivocal. If by the aristocracy, which indeed comes nearer to the point, they mean an adherence to the

rich and powerful against the poor and weak, this would indeed be a very extraordinary part. I have incurred the odium of gentlemen in this House for not paying sufficient regard to men of ample property. When, indeed, the smallest rights of the poorest people in the kingdom are in question, I would set my face against any act of pride and power countenanced by the highest, that are in it; and if it should come to the last extremity, and to a contest of blood, God forbid! God forbid!—my part is taken: I would take my fate with the poor, and low, and feeble. But if these people came to turn their liberty into a cloak for maliciousness, and to seek a privilege of exemption, not from power, but from the rules of morality and virtuous discipline, then I would join my hand to make them feel the force, which a few, united in a good cause, have over a multitude of the profligate and ferocious.

I wish the nature of the ground of repeal were considered with a little attention. It is said the act tends to accumulate, to keep up the power of great families, and to add wealth to wealth. It may be that it does so. It is impossible that any principle of law or government useful to the community should be established without an advantage to those who have the greatest stake in the country. Even some vices arise from it. The same laws, which secure property, encourage avarice; and the fences made about honest acquisition are the strong bars which secure the hoards of the miser. The dignities of magistracy are encouragements to ambition, with all the black train of villainies which attend that wicked passion. But still we must have laws to secure property; and still we must have ranks and distinctions and magistracy in the state, notwithstanding their manifest tendency to encourage avarice and ambition.

By affirming the parental authority throughout the state, parents in high rank will generally aim at, and will sometimes have, the means too of preserving their minor children from any but wealthy or splendid matches. But this authority preserves from a thousand misfortunes, which embitter every part of every man's domestic life, and tear to pieces the dearest ties in human society.

I am no peer, nor like to be — but am in middle life, in the mass of citizens; yet I should feel for a son who married a prostituted woman, or a daughter who married a dishonourable and prostituted man, as much as any peer in the realm.

You are afraid of the avaricious principle of fathers. But observe, that the avaricious principle is here mitigated very considerably. It is avarice by proxy; it is avarice, not working by itself, or for itself, but through the medium of parental affection, meaning to procure good to its offspring. But the contest is not between love and avarice.

While you would guard against the possible operation of this species of benevolent avarice, the avarice of the father, you let loose another species of avarice; that of the fortune-hunter, unmitigated, unqualified. To show the motives, who has heard of a man running away with a woman not worth sixpence? Do not call this by the name of the sweet and best passion — love. It is robbery; not a jot better than any other.

Would you suffer the sworn enemy of his family, his life, and his honour, possibly the shame and scandal and blot of human society, to debauch from his care and protection the dearest pledge that he has on earth, the sole comfort of his declining years, almost in infantine imbecility; and with it to carry into the hands of his enemy, and the disgrace of nature, the dear-earned substance of a careful and laborious life? Think of the daughter of an honest virtuous parent allied to vice and infamy. Think of the hopeful son tied for life by the meretricious arts of the refuse of mercenary and promiscuous lewdness. Have mercy on the youth of both sexes; protect them from their ignorance and inexperience; protect one part of life by the wisdom of another; protect them by the wisdom of laws, and the care of nature.

The House divided: Yeas 90: Noes 27. The bill was then read a second time.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.

November 27.

THIS day his majesty opened the session with the following Speech to both Houses:

"My Lords, and Gentlemen; when I last met you in parliament, I acquainted you with the arduous situation of public affairs at that time; and I represented to you the objects which I had in view, and the resolution with which I was determined to persevere in the defence of my dominions against the combined power of my enemies, until such a pacification could be made as might consist with the honour of my crown, and the permament interest and security of my people. The war is still unhappily prolonged by that restless ambition which first excited our enemies to commence it, and which still continues to disappoint my earnest desire and diligent exertion to restore the public tranquillity: but I should not answer the trust committed to the sovereign of a free people, nor make a suitable return to my subjects for their constant, zealous, and affectionate attachment to my person, family, and government, if I consented to sacrifice, either to my own desire of peace, or to their temporary ease and relief, those essential rights and permanent interests, upon the maintenance and preservation of which the future strength and security of this country must ever principally depend.

"The favourable appearance of our affairs in the East Indies, and the safe and prosperous arrival of the numerous commercial fleets of my kingdoms, must have given you satisfaction; but in the course of this year, my assiduous endeavours to guard the extensive dominions of my crown have not been attended with success equal to the justice and uprightness of my views; and it is with great concern that I inform you, that the events of war have been very unfortunate to my arms in Virginia, having ended in the loss of my forces in that province.

"No endeavours have been wanting on my part to extinguish that spirit of rebellion which our enemies have found means to foment and maintain in the colonies, and to restore to

my deluded subjects in America that happy and prosperous condition which they formerly derived from a due obedience to the laws; but the late misfortune in that quarter calls loudly for your firm concurrence and assistance, to frustrate the designs of our enemies, equally prejudicial to the real interests of America and to those of Great Britain.

"In the last session, you made a considerable progress in your inquiries into the state and condition of our dominions and revenues in the East Indies: you will, I am persuaded, resume the prosecution of that important deliberation with the same spirit and temper in which it was begun, and proceed with the same attention and anxiety to consider how those remote provinces may be held and governed with the greatest security and advantage to this country, and by what means the happiness of the native inhabitants may be best promoted.

"Gentlemen of the House of Commons; I will order the estimates for the ensuing year to be laid before you. I rely on your wisdom and public spirit for such supplies as the circumstances of our affairs shall be found to require. Among the many ill consequences which attend the continuation of the present war, I most sincerely regret the additional burthens which it must unavoidably bring upon my faithful subjects.

"My Lords, and Gentlemen; in the prosecution of this great and important contest in which we are engaged, I retain a firm confidence in the protection of Divine Providence, and a perfect conviction of the justice of my cause; and I have no doubt but that, by the concurrence and support of my parliament, by the valour of my fleets and armies, and by a vigorous, animated, and united exertion of the faculties and resources of my people, I shall be enabled to restore the blessing of a safe and honourable peace to all my dominions."

An address, in approbation of the Speech from the throne, was moved by the Hon. Charles George Perceval (afterwards Lord Arden), and seconded by Mr. Thomas Ord. Mr. Fox, in a speech of considerable length, entered into the important question of continuing or abandoning the American war, and concluded with moving an amendment to the Address by adding the words, "and we will, without delay, apply ourselves with united hearts to prepare and digest such counsels as may in this crisis excite the efforts, point the arms, and, by a total change of system, command the confidence of all his majesty's

subjects." Lord North having opposed the amendment, and urged the propriety of a vigorous prosecution of the American war.

Mr. BURKE rose with great warmth, and reprobated the language of the noble lord. He averred that it was imprudent, it was audacious; it was something worse, it was insulting in his majesty's ministers to look parliament in the face, and talk such language as the House had that moment heard from the mouth of the noble lord in the blue ribbon. If there could be a greater misfortune than those we had undergone in the disgraceful contest we were engaged in, it was that of hearing men rise up in the great assembly of the nation to vindicate such measures; it was the most alarming part of our condition; it was that which froze his blood, and harrowed up his soul: for if they were not to be taught by experience; if neither calamities could make them feel, nor the voice of God make them wise, what had this poor, fallen, miserable, and undone country to hope for? He was an enemy to dejection, and he never would recommend or preach despair; but if any thing could tend to deject the people of England, to make them despair of their situation, and resign themselves to their fate, it was to hear their ministers come down, after what we had suffered, and impudently tell them that they were determined to go on with the American war. A battle might be lost, an enterprise might miscarry, an island might be captured, an army might be lost in the best of causes, and even under a system of vigour and foresight; because the battle, after all the wisdom and bravery of man, was in the hands of heaven; but if either, or if all, of these calamities had happened in a good cause, and under the auspices of a vigilant administration, a brave people would not despair: they would be animated by their injuries; they would collect energy from disappointment; and feeling and knowing that a great and a good ministry would be instigated, in such a case, to strike some bold, new, and decisive stroke, they would arm, and

resolve to second them; they would gather reinforcement from their hopes; and with a new soul they would proceed to the execution of whatever their ministry would project, and their leaders undertake. But it was not so in the present case. As his honourable friend * had well described it, amidst all their sufferings and their misfortunes, they saw none so bad, none so distressing, as the weakness or the wickedness of their ministers. The noble lord said the war was not disgraceful, it was only unfortunate: for his own part, he must continue to call the war disgraceful, and not unfortunate; and he was warranted in so calling it. "Unfortunate" was an epithet to be annexed to occurrences wherein fortune only was concerned. The destruction of the Spanish armada, which was properly fitted out, was unfortunate; but surely the stroke against Lord Cornwallis could not be termed so. Fortune had nothing to do with it: there was no foresight, no plan laid down, and every man must from thence conjecture the event: and we were now to go on without plan and without foresight in this war of calamities; for every thing that happened in it was a calamity. He considered them all alike, victories and defeats; towns taken, and towns evacuated; new generals appointed, and old generals recalled: they were all alike calamities in his eyes; for they all spurred us on to this fatal business. Victories gave us hopes, defeats made us desperate, and both instigated us to go on; they were therefore both calamities: and the king's Speech was the greatest calamity of all; for the king's Speech shewed us the disposition of the ministers; and this disposition was not to retreat an inch; to go on, to plunge us deeper, to make us more disgraceful and more unhappy.

But the noble lord says, the king's Speech does not call upon us to go on with this war. What then, does not the noble lord know what the king's Speech is? Is he, as

* Mr. Fox.

usual, ignorant of what he brought down in his pocket? Perhaps it was made and spoken without his advice: but as plainly as language could imply;—for indeed it was not the way of his majesty's ministers to speak like other people; they had always a method of their own, a sort of hocus pocus style, which would translate either this way or that way, as might suit their immediate purposes; for the purpose of to-day was not with them the purpose of to-morrow:—he said, as plainly as ministerial language could speak, the king's Speech and the Address called upon and pledged the House to the continuance of the American war. But he would read the passage, and see if any gentleman could doubt the fact: "And we receive, with the strongest emotions of duty and gratitude, your majesty's gracious and endearing declaration, that you should not answer the trust committed to the sovereign of a free people, nor make a suitable return to your subjects for their constant, zealous, and affectionate attachment to your person, family, and government, if you consented to sacrifice, either to your own desire of peace, or to their temporary ease and relief, those essential rights and permanent interests, upon the maintenance and preservation of which the future strength and security of this country must ever principally depend. We declare, on our part, that we know no means of making to your majesty any return so suitable and so just, and of answering the great trust committed to us by those whom we represent, as by giving your majesty this firm assurance, that we are resolved to assist and support your majesty, to the utmost of our power, in maintaining and preserving the essential rights and permanent interests of your crown and people."

What was this but a clear unequivocal declaration, upon the one side, to go on with the American war; and upon the other, a pledge to support it? This was immediately followed by a lamentation for the loss of the army in Virginia, and this by a harsh invective against our restless and invidious enemies. We are made to declare, that their principal design was to foment and maintain the

rebellion in North America; and we are further made to declare, that we will, to the utmost of our power, prevent them from doing this; for see—

"We are fully persuaded that the principal view of the confederacy of our enemies was to foment and maintain the rebellion in North America: and, under the specious delusion of the establishment of an independent empire, to render your majesty's colonies subservient to the power and influence of the crown of France: but your majesty may rely on our steady assistance to second your majesty's endeavours to defeat the dangerous designs of our enemies, equally prejudicial to the real interests of America and to those of Great Britain."

We are to give our steady assistance, to second his majesty's endeavours to defeat the dangerous designs of our enemies. What are the designs of our enemies? to foment and maintain the rebellion in North America. Was not the American war contained in every line of this? But farther still: we were to prevent the dangerous designs of our enemies for another reason, because the independence of America, to which these endeavours tended, "was equally prejudicial to the real interests of America and to those of Great Britain." So that we were to go on with the war out of pure affection and friendship to America; and to a certainty we were to go on with it. Did the House require any more evidence? If they did, there was evidence at hand: for if the Speech and Address had not spoken sufficiently clear, the noble lord himself gives a full, clear, and decisive explanation of it. For what does he say? We went to war with America for the purpose of maintaining and preserving "the essential rights and permanent interests of this country." What does his majesty in the Speech say, and what does the House in the Address thank him for saying? What, but for the gracious and endearing declaration, that neither his own desires, nor the temporary inconveniences of the people shall make him think of giving up a contest for the essential rights and permanent interests of this country? The noble lord

says, we went to war for the maintenance of rights; the Speech says, we will go on for the maintenance of rights. It was but one story from the beginning to the end: it was, and had been for seven years, nothing but American war, American war, American war; and it would be American war to the end of the chapter.

But he must say a few words on the subject of these rights, which had cost us so much, and which were likely to cost us our all. Good God! Mr. Speaker, exclaimed he, are we yet to be told of the rights for which we went to war? Oh, excellent rights! Oh, valuable rights! Valuable you should be, for we have paid dear at parting with you! Oh, valuable rights! that have cost Britain thirteen provinces, four islands, a hundred thousand men, and more than seventy millions of money? Oh, wonderful rights! that have lost to Great Britain her empire on the ocean, her boasted, grand, and substantial superiority, which made the world bend before her! Oh, inestimable rights! that have taken from us our rank among nations, our importance abroad, and our happiness at home; that have taken from us our trade, our manufactures, and our commerce; that have reduced us from the most flourishing empire in the world to be one of the most compact, unenviable powers on the face of the globe! Oh, wonderful rights! that are likely to take from us all that yet remains! What were these rights? Can any man describe them; can any man give them a body and a soul answerable to all these mighty costs? We did all this because we had a right to do it: that was exactly the fact. "And all this we dared do, because we dared." We had a right to tax America, says the noble lord; and as we had a right, we must do it. We will risk every thing, we will forfeit every thing, we will think of no consequences, we will take no consideration into our view but our right, we will consult no ability, we will not measure our right with our power, but we will have our right, we will have our bond: America, give us our bond; next your heart we will have it: the pound of flesh is ours, and we will have it. This was

their language. Oh, miserable and infatuated men! miserable and undone country! not to know, that right signifies nothing without might; that the claim without the power of enforcing it, is nugatory and idle in the copyhold of rival states, or of immense bodies! Oh! says a silly man, full of his prerogative of dominion over a few beasts of the field, there is excellent wool on the back of a wolf, and therefore he must be sheared. What! shear a wolf? Yes. But will he comply? Have you considered the trouble? How will you get this wool? Oh, I have considered nothing, and I will consider nothing, but my right: a wolf is an animal that has wool; all animals that have wool are to be shorn, and therefore I will shear the wolf. This was just the kind of reasoning urged by the noble lord, and this the counsel given by him. The Americans have money; we want it, we will have it. They resisted their claim; they fought their battle for a time themselves, at last called in an ally; they are joined by the French, and conjoined they have forced your armies to surrender; and yet the noble lord at this moment comes down and tells the parliament of the nation that he has ruined, insolently tells them, that we are fighting for a right. He said insolently, for it was an insult upon the patience of the parliament. But he begged pardon, he agreed with an honourable gentleman, (Mr. Thomas Pitt,) that there was no parliament, no people, or else such language, at such a day, would not be hazarded, much less suffered.

But this was like all the rest: it was only a fresh attempt on the part of ministers, to impose, to delude, and to draw on the people. Here Mr. Burke went into a recital of the various stories which they had told, and of the various doctrines and various plans which they had held, and abandoned, and taken up again. But what had our war with America been, but a continual series of marching and countermarching, of taking and evacuating? Indeed, the different places in America seemed to undergo an excrementitious evacuation, analogous to that of the

human body: and the noble lord comes, and recommends to us an Address, advising the carrying on this very useless if not very injurious war; and this is to be in the language of clapping on the back, with "who's afraid?" and such other vulgar cant; for, divesting it of its phraseology, what else is the echo of the royal speech, but those same vulgar expressions, couched in better terms?

He was averse from deceiving and amusing the people with what he felt impracticable. He trusted a day of reckoning would come; and whenever that day came, he trusted he should be able, by impeachment, to bring upon the heads of the authors of these unhappy affairs the punishment of them. The nation, as an animal, was dead; but the vermin which fed on it had still an existence. He had looked cautiously at the conduct of Lord Cornwallis; his gallantry he attested; but what had his operations been, but marching and countermarching from north to south, from the mountains to the sea, and from the sea to the mountains? This had been done to deceive the people here, and make them believe that we had a proportionate interest in the country to the extent of territory traversed: and to confirm this, and to prove the certain subjugation of Virginia, Lord Dunmore was sent out to be governor. But the operations of the Americans were certain, though silent; and though tardy, effective. Where real generalship was to be manifested, they had shewn it. Nor was this the only instance of captured armies. Where was General Burgoyne's army? *Redde nobis legiones!* Give us back our force, nor protract this burthensome, disgraceful, for it is not an unfortunate, war, which, "like a wounded snake, drags its slow length along." Let us not hug in our bosom that snake, which will sting us even to the last agony of dissolution.

The House divided on Mr. Fox's amendment: Yeas 129: Noes 218. The original Address was then agreed to. On the following day, when the Address was reported to the House,

Mr. Burke again rose. He declared, that if any thing yet remained necessary to be done or said to convince the House that the Address pledged them to the continuance of the American war, he would read part of the Address of the House to the King in the year 1778, which pledged them to the support of the French and American war for the sake of our rights and interests. This, he said, was his text on which he would preach, by comparing this with the assertion, that it pledged the House to nothing; and comparing both with the language of the Scotch, and the Irish, and the English ministers; and lastly, by comparing and applying them all to the consciences of the House. The Address was a delusion, and he was not a little amazed to hear the learned lord * make it an argument that it could not be a delusion, because it could only last a week. Good God! did the learned lord know so very little of the minister, as to imagine, that the shortness of time which a delusion could exist, was any reason for his not practising it? The noble lord dealt in cheats and delusions: they were the daily traffic of his invention. A week! The noble lord had often held out a cheat for half that time. For a day only: nay, for a single hour. He had practised cheats upon the House, which died away even before the debate was ended, to favour which they were contrived. Had not that House seen the noble lord's cheat upon the subject of the Conciliatory Propositions? Had they not witnessed his dexterity in laying down his own cheat on that occasion, and adopting another which he thought he played off more advantageously? The noble lord would continue to play off his cheats and delusions on that House as long as he thought it necessary, and had money enough at command to bribe gentlemen to pretend they believed them. It was no argument, therefore, to suppose that the shortness of time which they were likely to operate, proved that they were not in fact delusions. The learned lord had ingeniously

* Mr. Dundas.

endeavoured to throw obscurity and confusion on the manner of conducting the war; nay, the ministers themselves were not clear in their ground respecting the Address. The Scotch secretary of state and the Irish secretary of state, had both of them, in another place, held a language totally different from that of the South British minister in that House. The Scotch and Irish secretaries had expressly declared, that the Address did pledge those who voted for it to a prosecution of the American war; the one directly said they were pledged, the other hinted the same thing. The South British secretary and his supporters had told the House the direct contrary. What sort of confidence, then, ought gentlemen to place in an administration, where there was so glaring a want of concert? What firmness, what vigour could arise from the councils of men so disunited? How was this difference of argument upon the same subject to be accounted for? Was it owing to their different places of birth? Were Scotch, Irish, and English so jumbled together, that there was a Babel in the cabinet, and such a confusion of tongues, that the one could not understand what the other said? The learned lord told the House, he did not mean to pledge himself for the prosecution of the American war, when he voted for the Address. What satisfaction was that to the House? The declaration was the private declaration of an individual member of parliament. The Address was the act of the House. But now he came to apply to the consciences of the House, and to discharge his own. The tenth article of the capitulation shocked him beyond measure. Earl Cornwallis was forced to surrender up to the civil jurisdiction of the country the loyalists who had come to his standard. These men we had butchered in cold blood; they were doomed to be hung, drawn, and quartered; and a young prince of the blood was sent out to be spectator of the horrid executions of those who were quelling the rebellion against the crown, and were now executed for rebelling against the congress! What a scene, cried he, for the eyes of the royal youth, to behold the faithful adherents of his father hanging in quar-

ters on every headland as he sails along! What a report to make of the objects that first struck his view in that country, where he was taught to hope he should be every where received with welcome! "Here, I beheld the bloody remnants of our faithful friend, Mr. Williams, gibbetted up for a terror to all who adhere to us; and a little farther another friend, and yet another, and another!" But is not this one fact among a thousand, sufficient to convince us of the horrible iniquity of the measures we have hitherto pursued? And is it not the strongest reason for our forsaking a system so pernicious?

Here Mr. Burke worked up his passions so much in descanting on the shocking cruelty of the circumstance, that his whole frame was violently agitated. He declared that the blood of all the Americans, who lost their lives in consequence of that capitulation, rested on the head of Lord Cornwallis, or of the ministry. As he had no right to charge him with it in the other House, where the noble earl was entitled to a seat, he would make those walls re-echo with it, till Lord Cornwallis had accounted for a conduct so disgraceful to the British name, so distressing to humanity! And while he did this, he had the highest and most respectful regard for the virtues of the noble earl. Some dreadful circumstances must have attended the giving up of his friends. He drew a comparison between the conduct of General Burgoyne at the surrender at Saratoga, and that of Lord Cornwallis at York-town. He reminded ministers of the manner in which they had treated General Burgoyne, who gave up no loyalists to butchery. He brought to their recollection the doubts entertained by them of the general's having a right to his seat in parliament while he was a prisoner, and the manner in which they had prevented his throwing himself at the feet of his sovereign; and asked them, if such was their treatment of a general who obtained such honourable terms of capitulation, what was Lord Cornwallis to expect? He next shewed to what extent the power of protection described by the American secretary had been carried. By fire and sword

we had forced the Americans to join the king's troops, and now those very men, who had been fighting to quell rebellion, were to be executed with ignominy, for having themselves been rebels. After working up himself and his hearers to the most distressful state of emotion, he branded the ministers as the cause of the horrid disasters he had decribed, and declared the Address to be the most hypocritical, infamous, abandoned, lying paper, that ever that House had been called upon to vote. After turning this affecting circumstance into various points of view, he mentioned a most singular fact. Earl Cornwallis was governor of the Tower of London, and consequently Mr. Laurens was his prisoner. Colonel Laurens, son to Mr. Laurens, was appointed captain-general of prisoners in America; and consequently Earl Cornwallis was prisoner to the son of his own prisoner. This was a circumstance that would incline a man the least addicted to superstition, to think that there was a special Providence in this affair, brought about for the purpose of humbling the proud, and teaching to all, by the vicissitudes of human fortune, the duties of tenderness and humility. He also mentioned this particular circumstance, that on the 17th of October, exactly to a day, four years from the surrender of General Burgoyne at Saratoga, Lord Cornwallis beat a parley to capitulate at York-town.

On the question being put, that the report be brought up, the House divided: Yeas 131: Noes 54. So it was resolved in the affirmative.

CASE OF MR. LAURENS — EXCHANGE OF PRISONERS WITH AMERICA.

December 8.

THIS day, after the private business was over, it was expected that Mr. Burke, according to the notice he had given, would make some motion concerning the treatment of Mr. Laurens, a prisoner in the Tower; but the honourable member not being in the House, the Speaker was going to put the question of adjournment, when Mr. Fox said, that his honourable friend had not departed from his intention, that he had sent to his house to know the cause of his present absence, and expected the return of his servant every moment. Upon this, the House agreed to wait. But in less than a minute

Mr. BURKE came in, quite out of breath. He said he was extremely sorry, and begged pardon, for making the House wait. He was in the greatest confusion, but his confusion did not arise so much from a sense of delinquency on his part, as of the extraordinary and excessive indulgence of the House. The business on which he had expressed an intention to trouble them, was of very great importance, as it involved a question that concerned the justice and dignity of the nation, and might be productive of disagreeable consequences in America. From the moment he had agreed to undertake the business alluded to, he had taken extraordinary pains to get the best information and the best advice on the subject, lest from any omission on his part, or any impropriety in the mode of proceeding, he should injure the venerable character in the Tower, whose situation he wished to relieve. He therefore had written on Sunday to an honourable friend, one of the clerks of the treasury (Sir Grey Cooper), to know if ministers had any objection to have the lieutenant of the Tower examined at the bar. Unfortunately his honourable friend

happened to be out of town, and he did not send an answer to his letter till this day at about half past two o'clock. The answer, however, did not convey much information to him; for it told him only, that the noble lord in the blue ribbon had no objection to have the lieutenant examined, if proper grounds should be shewn for bringing him to the bar. This only told him what he knew before, that if the noble lord should like the motion, he would not oppose it; but it did not give him the information he wished for. On the receipt of this answer, he immediately went to a friend for advice, lest he should do something wrong, by trusting to himself; and this was what had hindered him from arriving time enough to prevent the House from being put to the trouble of waiting for him; which put him in the situation of the convict, who being tardy in going to execution, was asked how he could keep the justice of the nation waiting for him. He still was at a loss what to do, and could not think of proceeding without taking farther advice, and therefore he was under the necessity of supplicating the House to pardon him for not now bringing on a business, for which he wished a further delay to consider more fully.

Lord North said, that the substance of the answer, which he had given directions to have sent to Mr. Burke, was, that there was nothing peculiar in the case, that could, on the first blush of it, render it improper to have the lieutenant of the Tower examined at the bar; and that therefore if the honourable member should shew such general grounds for agreeing to his motion as ought to induce the House to do so, he certainly would not give it any opposition. Sir Grey Cooper gave the same explanation to the letter he had written. Nothing more was said, and the House adjourned.

December 17.

Mr. BURKE rose to give notice of a motion that he intended to make after the holidays, for leave to bring in

a bill, relative to the exchange of prisoners of war; and to obviate a difficulty, in the act for the suspension of the Habeas Corpus, which was at once disgraceful and inconvenient to the government of this country. He was drawn to the consideration of this matter from the particular cases of two characters; cases of a nature totally distinct, but which were both attended with striking circumstances of peculiar hardship. The House would naturally perceive that Mr. Laurens was one of the two cases to which he alluded. Under the law which he had mentioned, Mr. Laurens was confined in the Tower; but though it might seem to countenance his commitment, it could not authorize the hardships to which that venerable gentleman was exposed, and the rigours that he suffered in his imprisonment. It might be asked, why he had allowed a matter that had humanity for its pretext, to remain so long uninquired into, after he had declared it was his intention to bring it before the House? In answer to this, he could only observe, that there were strong reasons for his not going on with the business earlier, and that one of the most essential benefits arising from delay (which was undoubtedly the cause of a variety of evils in opposition to those benefits) was, that it enabled men to get at a more accurate knowledge of facts, and to tread with greater certainty on the ground they meant to take. It had, he was perfectly aware, been urged against him without doors, and perhaps the insinuation originated with some within, that he felt he had gone too far, that he found his opinion prematurely formed, and that had he attempted to proceed farther, he should have been obliged to retract his charge. It had also been said, that he was rash in proceeding on mere newspaper authority; that it was ridiculous to go upon anonymous letters published in a common newspaper, and that no wise man would, with such unsubstantial evidence, proceed a step farther in a matter of so much moment. In reply, he must say, that the newspaper publications on the subject were not vague, loose, and general; that they stated facts circumstantially, mentioned names of

men and things directly, and gave dates of time and place. with a degree of confidence rarely assumed by fallacy or fraud; that five several correspondent and well-connected narrative letters had appeared upon the subject, and that the whole taken together, amounted to a printed charge, sufficiently respectable to warrant him, or any other reasonable man, in proceeding upon it. But the truth was, he had directly made no charge whatever respecting the case of Mr. Laurens; he had only declared his intention of moving for that worthy, enlightened, and respectable character to be brought to the bar by the lieutenant of the Tower, in order for the House to ascertain whether he had been ill-treated or not. When he fell into the hands of the promising young officer * who took him, he was treated by him with every mark of distinction, which could be suggested to him, by a memory of what his prisoner had been, and what he then was; he treated him like a man who had been at the head of the greatest commonwealth on the face of the earth; like a man who was then invested with the character of ambassador from that commonwealth: he called it the greatest commonwealth on the face of the earth, upon the principle of Zanga, who speaking of Alonzo, said, "great let me call him; for he conquer'd me:" America had beaten Great Britain, according to the avowal of a right honourable member †, who, zealous as he had been in the American war, had confessed that we had been beaten. But no sooner had Mr. Laurens arrived in London than he found himself treated in a very different manner; not as a prisoner, whom the chance of war had thrown into our hands, but a traitor; and as such was committed to the Tower. His treatment there was of the most rigorous nature; kept a close prisoner, he was not indulged with the comfort of seeing his relations and his family, till that indulgence had been purchased by those relations, by sub-

* Captain Keppel. † Mr. Rigby.

mitting to the mortifications of repeated and insulting denials. The use of pen, ink, and paper was withheld from him for three months; for the people in power, to whom his request for these articles had been referred, delayed giving him any answer for three months; at the end of that period, he was so far allowed the use of pen, ink, and paper, as to be permitted to draw bills upon some persons, with whom he was fortunate enough to have had a connection before the contest began, and who owed him money. But prior to this last indulgence, Mr. Laurens's case had been truly deplorable. It was a vulgar opinion, and one which he himself (Mr. Burke), among many others, had always entertained, that a person confined in the Tower as a state prisoner was allowed a subsistence, or a table of some sort, by the state: but if such a thing was allowed in general, it was not Mr. Laurens's good fortune to have felt the benefit of it; for no allowance whatever of that nature was made to him; and what was most extraordinary, while government refused to supply him with the necessaries of life, they would not permit him to write, not even to draw a bill upon the merchant, who would have supplied him. A very extraordinary occurrence happened at the same time, which might be truly termed barbarous; for while the venerable old man was refused the use of pen and ink, even for the purpose of procuring the necessaries of life, a bill was presented to him for fees to the amount of *99l.* 10*s.* The means of paying such a bill were first withheld, and then the prisoner was called upon to pay it: the effect this produced upon Mr. Laurens was, to make him laugh, and treat the whole very ludicrously, saying to the man who presented the bill, "Friend, I believe I shall be obliged to quit my lodgings, for really they are too dear for me; I cannot afford to pay so high for them." Thus it was that this good man was able, from his own greatness and fortitude of soul, to rise above those who only meant to tease and insult him.

In the early part of the war, the conduct of administration was not so rigid towards the Americans who were

brought prisoners into England, as to confine them, without ever admitting them to be exchanged or released: Ethan Allen had been brought to England in irons; but he was sent back without irons, and exchanged in America. This would have been the case too, perhaps, with Mr. Laurens, had not a new project been started, for narrowing the scale, upon which the king's pardon was to have been granted to those who had opposed his government; then it was, that the idea of giving Mr. Galloway, and other refugees, American peerages, was first conceived; and their ermines were to arise from the confiscations to be made by government. Mr. Laurens was the first who felt the effects of this pernicious counsel: and ministers were glad to have it in their power to ill treat a man, who was sitting on the throne of sovereignty, at the head of the congress, when this country sent over ambassadors to that congress; and who bowed so low as to ask even for leave to see, and mix with the worthy characters of America, superior to those of Greece and Rome; for such was the language and the behaviour of one of the commissioners whom they sent.

But, was the ill treatment of Mr. Laurens in the Tower consonant to sound policy? Was it prudent to sour the minds of the Americans against England by the ill usage of their great and respectable president? Was it politic to make him think ill of England? Ill usage might do it, but nothing else could; for he carried his love for this country, even to doting: he had sent his children to receive their education in it, and to learn to love this country; he had long opposed the disunion of Britain and America; and if any thing set him ill with his countrymen, it was the opinion they entertained, that he was too well affected to the interests of England. Instead, therefore, of treating him with barbarity and indignity, ministers should have blessed Heaven, that such a man had fallen into their hands; that they might avail themselves of his good will towards this country, in negociating with America: but their souls were too narrow; the gratification of their

resentment was of too great consequence to them to be postponed to the interests of the state, and they had rather insult, and treat with brutal cruelty, than soothe and conciliate by kind usage, a man of the greatest penetration, the soundest judgment, and the most liberal mind of any man perhaps upon the face of the earth. Such was the man ministers oppressed; overwhelmed with the gout, and labouring under a complication of complaints occasioned principally by the hardships of his confinement, ministers could still view him as an object for persecution; so that the Turk, the savage Arab, the cruel Tartar, or the piratical Algerine, when compared to our ministers, might be thought humane. The great, incurable, and fundamental error of the act, to alter the regulations established by which, was the purpose he aimed at, was that it made no distinctions, such as wisdom and justice required; it did not point out the great and active instruments of criminality, but was confined solely to distinctions purely geographical. Thus it depended not on the enormity of each captive's suspected guilt, but on the place where he was taken, and the place to which he was conveyed, whether he should be considered as a traitor, a pirate, or a mere prisoner of war. It was to put justice on a more equal footing, to level distinctions which had their origin in oppression and barbarity, and to render the prisoners of war taken by this country certain of having the severity of their fate softened, and made somewhat tolerable, by that tender and mild treatment which all civilized belligerent powers made the rule of their conduct during a time of hostility, that he should move for leave to bring in the bill, as its principal and most general ground of necessity.

The next point which rendered him the more anxious for the bill he intended to bring in, was, in order to correct certain abuses, which were practised by ministers in the exercise of that power, which they either of right possessed, or which they claimed, in the disposition and treatment of persons seized by virtue of the act in question, or who might become prisoners during the American war. The

act at present in being, was in this point of view confined in its principle, and productive of the worst effects. In America the prisoners were exchanged upon an equal and a liberal principle; the spirit of the law operated there in a manner just and honourable. Change, however, the situation, and the effect of the same statute instantly varied. If persons were taken at sea on the American coast, and carried into New York, from the officers of any vessel, down to the common sailor, they were sure of receiving every possible indulgence, and every stretch of that civility and that humanity which, till the present war, had at all times been the glorious characteristic of the British nation. On the contrary, when American prisoners were brought here, they were not suffered to be free as prisoners of war on parole, but were either sent to confinement under commitments as pirates, or on a charge of high treason. What he meant at the proper time to contend for, was, that Mr. Laurens was entitled to his freedom, on parole, as a prisoner of war; that he ought not to have been committed to the Tower or any other place of confinement, much less that he ought to have been made a close prisoner, and treated with the unexampled rigour which he had all along experienced. He knew perfectly well, it might be urged, that the secretary of state had grounded his conduct on the authority of an act of parliament, and that ministers had strictly adhered to law in all their treatment of Mr. Laurens. Was this any answer? Were ministers, in whose hands the wisdom and justice of the nation were entrusted, whose duty it was to support the national character on a broad and liberal footing, to descend to become lawyers and pettifoggers? Were they to act on that narrow scale which a Middlesex magistrate, a Westminster trading justice, an Old Bailey solicitor, or a bailiff's follower, would hold themselves tied down to? He was convinced great statesmen would feel it to be their duty to act in a very different manner. But Mr. Laurens had experienced such treatment, — he had been denied the only and the best comforts of the human heart in the moment of distress, the

sight and frequent visitation of his nearest and dearest relations; even his own son had not had access to him, but in the sight and presence of a warden. Nay more, he had been imposed on, and though denied allowance from government, had been expected and called on to pay the most exorbitant demands, under the name of fees. How different was the treatment of prisoners of state in the Bastile! There, though looked on as the horridest jail of a despotic and arbitrary government, the provision was ridiculously grand, considering the supposed guilt of those to whom it was served up. All that justice, all that repeated requisitions founded on principles of the clearest reason could not effect, Mr. Burke said, had of a sudden been brought about by a star, that had risen, not in the east indeed, but in the west, and warned ministry of the danger of their longer persevering in their unmanly, resentful, and rigid treatment of Mr. Laurens. This was no other, than news arriving, that Mr. Laurens's son, a brave, a worthy, and a polished officer in the American service, had Lord Cornwallis in his custody, and that his treatment of his noble prisoner was directly the reverse of the treatment experienced by his father, who was then locked up in a prison, of which Lord Cornwallis was governor. The moment advice of this circumstance reached the ministers, they became as full of civility to Mr. Laurens as before they had been full of severity. But he was authorised to say, that Mr. Laurens would sooner starve, or undergo any distress the human frame was capable of supporting itself under, than be obliged to men, who had treated him so extremely ill. Mr. Laurens, he said, was naturally of a mild, meek, and humble disposition; but the injuries he had endured, had roused his feelings to resist them, and he now confessed himself to be, what he had never believed he could be, a proud man.

He now came to the third point, on which he rested his proposed bill, namely, that other part of the abuses practised by ministers, respecting the treatment which those British officers, who had the misfortune to be taken by the Americans, experienced at their hands. In August last,

he learnt that congress had demanded General Burgoyne as their prisoner. He had not formerly been in the habits of intimacy with the general, but of late he had conceived the highest esteem both for his public and private character; and what led him to entertain that esteem was, his having seen the general force an inquiry into his conduct in that House, in spite of every opposition from ministers, who dreaded it, and who took care to render it as ineffectual as possible; and likewise from the whole tenor of the general's conduct, which shewed him to be a man of the strictest honour and the most rigid integrity; since he had with a manly spirit abandoned and resigned all the fair professional emoluments and rewards of a long life of service, rather than submit to feed the resentment and revenge of his enemies, who wished to destroy his reputation, and render his life miserable. Some time ago, an order had been issued from the army-office, for that general to return to his army in America. It was very well known that the honourable general, in the then state of his health, would look upon such an order rather as an intimation to resign his military honours, the earnings of long service, than really to set out for America, where his presence could not be of any use: his own pride soon moved him to give up what he thought was all that was desired of him; and when ministers had got what they wanted of him, he heard no more from that quarter about going to America: but he soon heard of it from another quarter; for congress, finding that the ministers of Great Britain would not, upon any terms, release Mr. Laurens, had required General Washington to summon General Burgoyne to return to America, and save his parole. When this was urged to Sir Henry Clinton, that officer entered into a treaty for the release of General Burgoyne: but as the latter was a lieutenant-general, and there was no officer of that rank in the American army, our commander-in-chief could not of course exchange him for an officer of equal rank; he therefore entered upon terms for his release; and it was agreed that 4,040 men should be given for his ransom. This, he

said, he regarded as a fair estimate; it was taking a quantity of silver for a piece of gold, and it was an honest exchange. It happened, however, that ministers had contrived to render the proposed exchange impracticable, and that by this means. There were a number of men, who surrendered on capitulation to the British arms at the Cedars early in the war. That capitulation congress refused to ratify, and in every exchange of prisoners that had taken place since, had uniformly put the Cedar men aside, regarding them as so many Birmingham halfpence, and refusing to acknowledge them other than as base metal and coin of no value. The commander-in-chief persevered in his offer of those men in part of the 1,040; and congress persevered in refusing them; so that no release having taken place, and no release being intended probably on our side, as such men were offered, the consequence that must ensue was, that General Burgoyne must in discharge of his parole, return to captivity, if something should not be done to prevent it. This state of facts coming to his (Mr. Burke's) ears, he resolved to try what he might possibly effect by private friendship: he therefore wrote over to Dr. Franklin upon the subject, resuming in a distant manner a correspondence which had been interrupted by necessity, not choice; requesting that he would use his credit with congress to make them desist from their requisition that General Burgoyne should return to America. The doctor soon answered the letter, in which he observed, that "since the foolish part of mankind could not settle their disputes without wars, it was the duty of the wise part of mankind to use their endeavours to alleviate those misfortunes that attend wars." After several compliments personal to Mr. Burke, and which that gentleman, in reading the letter, passed over, he acquainted him, that he had not heard of the order of congress, for General Washington to summon General Burgoyne to return to America; but he was of opinion, that if any such order had been issued, it was in retaliation for the British minister's refusal to release Mr. Laurens. He then informed Mr. Burke, that before he had closed his

letter, he had received dispatches from Philadelphia, with a resolution of congress of the 10th of June last, authorising him to exchange General Burgoyne for Mr. Laurens; and saying that as he had no communication with the ministers of the court of St. James's, he requested that Mr. Burke would negociate the business for the common sake of the general and Mr. Laurens.

He gladly undertook the business; waited on some of the friends of ministers; but was surprised to get for answer to his proposal, that General Burgoyne was actually exchanged, and of course no longer a prisoner. This information surprised him indeed, because it was false, and must be false; as it was not possible, that congress having resolved that General Burgoyne should be exchanged for Mr. Laurens, should enter upon any treaty for his release, till they should first learn what had been the issue of their commission on that head to Dr. Franklin. It was therefore only sporting with the feelings and misfortunes of that general, to say that he was exchanged. The cruelty of ministers in first ordering him to America, and persisting in that order till they had stripped him of every military honour and reward of his services, except his rank of lieutenant-general, could be equalled only by their barbarity in leaving him now exposed to the mercy of congress, by refusing to exchange him: for it was refusing to exchange him, when such men were offered in exchange as it was well known the congress would not take.

Mr. Burke then stated the cause of the dislike ministers had to General Burgoyne to be, that he had exposed the absurdity of all their reasonings upon the number and fidelity of the friends to this country in America: for this he had been persecuted; for this he had been denied a court-martial; for this he had been denied every means of vindication, till in that House, by irrefragable testimony of the first men among the nobility of this country, and of its first military characters, he had established his reputation; and for his own part, he looked upon General Burgoyne as one of the most able, if not the most able

officer in our service. He said, he hoped ministers would now take care how they discovered their disposition, if by offering to exchange Lord Cornwallis, also a lieutenant-general, for Mr. Laurens, having refused to do it for General Burgoyne. He concluded by giving notice, that after the recess, he would move for leave to bring in a bill to regulate the future exchange of prisoners of war.

General Burgoyne said, the first thing the House would naturally expect from him, if after the various ill usage he had received they ascribed to him the possession of a human heart at all, would be to return his best and sincerest thanks to the honourable gentleman who had spoken before him. Gratitude, he said, did not come up to the true magnitude of the feelings he experienced towards him, and he reverenced him the more, because he knew the real source of his attachment to proceed principally from a generous concern for the unfortunate, and a disinterested feeling for the oppressed and persecuted. He considered the friendship of the honourable gentleman as the greatest blessing, as well as the greatest honour that had ever happened to him in life. The general now proceeded to inform the House, that he had a motion to propose to them respecting the exchange of prisoners, from which he hoped to derive a certain knowledge from what quarter it proceeded, or to what cause it was owing that he had remained the last, and the only one of all the army that surrendered at Saratoga who had not been included in the exchange of prisoners, and restored to liberty. It was an injustice beyond all example, that every officer, and every man in the army, should have received the valuable privilege of freedom, yet he alone, who was commander-in-chief on that occasion, continued to this day a prisoner. He concluded with moving, "That an humble address be presented to his majesty, that he will be graciously pleased to give directions, that there be laid before this House, copies of all correspondence between his majesty's secretaries of state, or the secretary at war, and the commanders-in-chief, or commissaries for exchange of prisoners in North America, respecting the exchange or release of prisoners, since the 1st day of January 1778." — Lord Newhaven said, he had the other day conversed with the lieutenant-governor of the tower, and had inquired of him, what were the

real sentiments of Mr. Laurens, as to the treatment he had received; the governor informed him, that the prisoner had professed in the strongest manner to him, that no civility could exceed that which had been exercised towards him during his confinement, and that he felt the utmost gratitude for it. He then commented upon the circumstance of Mr. Burke's having read a letter from Dr. Franklin in that House. Good God! said he, can I believe my ears! Do not my senses deceive me! Is it possible a member of this House, a British legislator, can undertake not only to acknowledge his correspondence with Dr. Franklin, an open and avowed rebel, but be daring enough to read the contents of this correspondence in his seat before the second assembly in the kingdom! This, wonderful as it was, did not constitute the climax of the honourable gentleman's conduct; he had proceeded farther; he had actually gone with this letter to the very members of the administration, and shewed it, and avowed it. For his part, had he entered into any such correspondence, he should have supposed his inevitable fate would have been, his being taken into custody, and sent to keep company with Mr. Laurens in the Tower. — Lord George Germain had not the least objection to the motion. As to the affair of Mr. Laurens, he knew of no ill-treatment that he had suffered; and he had in his hand a letter, dated November 1780, in which that gentleman returned thanks for the indulgence he experienced, for the place of his confinement, and the liberty with which he had been indulged of walking about, by which he had greatly recovered from his infirmities.— Lord North said, the letter read by his noble friend was a proof that the charges brought against ministers were ill-founded. He thought the honourable member rather a little wanting in candour as well as regularity, to enter so largely into an accusation of ministers, when he was only giving notice of a motion; however, as all the honourable member had said rested upon his own assertion, he would meet him with just as good authority, another assertion, and declare, that the charge of ill-treatment towards Mr. Laurens was without any foundation in truth. — Mr. Fox said he did not know what might be called ill-treatment by that House; but he would pledge himself for the truth of all that had been advanced respecting Mr. Laurens; and he was the more ready to do so, because from his own knowledge, he could vouch for the truth of all the facts that Mr. Burke had stated.

Mr. BURKE, alluding to what Lord Newhaven had said about being sent to the Tower, said, he was not rich enough to occupy apartments in the tower; such a prison was better adapted to the rank and fortune of the noble lord; however, if in the tower he could enjoy the company of such men as Mr. Laurens and Dr. Franklin, he should not at all regret being shut up from the company of the noble lord.

The motion was then agreed to.

December 20.

Mr. BURKE rose to move for leave to present a petition from Mr. Henry Laurens. This he prefaced with some pertinent replies to what had been suggested from the opposite side of the House, in respect to agreeing to an inquiry being entered into relative to his correspondence with Dr. Franklin, whenever an inquiry should be made respecting the first lord of the admiralty. With great humour and pleasantry he observed, that however his conduct might call for an inquiry, on account of his correspondence with Dr. Franklin being deemed misprision of treason, he could not suppose it would be considered of that national consequence as the one that was then immediately before the House; his correspondence with Dr. Franklin could not produce such fatal calamities as attended the misconduct of the naval department. However that might be, he promised that no papers whatever should be withheld from the inspection of the House, at any time they should think proper to demand them. He then read the petition, and moved for leave to bring it up.

This being complied with, and the petition read by the clerk, he moved that it should lie on the table.—Lord North said, that however Mr. Laurens had there stated the complaint of unparalleled rigour being shewn him in confinement, he believed there was no foundation for such a complaint. Indeed,

he might think it rigorous to be at all confined. In respect to his enlargement, it was true, an indirect application had been made to him, which he did not receive till last night; so that it was impossible to grant him that relief which his languid situation might require. There must be a proper time to consider on the means and its necessity. But as the honourable gentleman had pledged himself to prove the truth of this rigour, he should defer saying much more on that particular, until the inquiry was made. It might be necessary to have the warden of the Tower before that House. It would then appear whether Mr. Laurens had not informed him that he was perfectly satisfied with the treatment he had received. The honourable gentleman had particularly complained of the cruel and impolitic treatment of Mr. Laurens. He did not know how they were to act if the laws were not to be the standard of their actions. Before the honourable gentleman could condemn the conduct of ministers in this particular, it was necessary to prove, wherein they had acted contrary to the laws.

Mr. BURKE said, that the noble lord was not such a child as to suppose he would enter into an inquiry how far the proceedings in the Tower were justifiable. He should not enter into the rigorous proceedings of that disgraceful prison, nor should he consider how far they were to be countenanced by law. He should only consider how far that power was extended beyond the line of prudence and humanity. In respect to his having pledged himself to the House to prove every particular complaint of Mr. Laurens's treatment, did the noble lord imagine he meant to attempt what was in itself so impracticable? No. He could not pretend to prove every particular of rigorous proceeding within those walls. It was impossible. He therefore wished it might be understood, that all he meant was, whatever had been alleged before, or set forth in the petition, then lying on the table, he would bring such evidence as would testify the authenticity of the whole. Nothing had been advanced respecting Mr. Laurens, either by himself or others, but what vouchers should be brought in vindication of its truth. The noble lord had said, that before he reprobated the conduct of ministry, in being

cruel and impolitic in their treatment of Mr. Laurens, it was necessary to prove wherein they had departed from the tenor of the laws. Thus far he must differ in opinion with the noble lord. One part of what he had alleged, was by the presentation of that petition brought to issue. He had been accused of representing circumstances of harsh, impolitic measures in respect to Mr. Laurens, which were absolutely false. It was said, that he himself would not complain of such treatment; for he had expressed to others, his perfect satisfaction with his confinement as a prisoner. This declaration was now brought to issue. Mr. Laurens had himself complained in such a manner, as proved this assertion to be false, and what he had before asserted of his usage to be true. Therefore nothing now remained, but to prove the bad policy of using the president of the American congress with such uncommon severity. The noble lord had sought refuge for his conduct in the sanctuary of the laws. But surely he knew better than to apply this to his present conduct. He was a logician, and could perceive the difference between the justifying an action necessarily lawful, and absolutely impolitic, although sanctified by that authority. A matter might be lawful, but not, therefore, expedient. There was a material distinction. Supposing the noble lord had a mine which produced him an immense income, and that the management of this mine depended on the sole governance of one man who might owe him ten pounds, would the noble lord consider it policy in him to arrest this man? Lawful it certainly was. But would he deem it expedient? He certainly would not, unless he chose to suffer the destruction, perhaps the annihilation of his possession.

The petition was ordered to lie on the table. The following is a copy thereof:

"To the Right Honourable Charles Wolfran Cornwall, Speaker, and the honourable the House of Commons. The Representation and Prayer of Henry Laurens, a native of South Carolina, some time recognized by the British commissioners

in America, by the style and title of his Excellency Henry Laurens, President of Congress, now a close prisoner in the Tower of London,

"Most respectfully sheweth,

"That your representer for many years, at the peril of his life and fortune, evidently laboured to preserve and strengthen the ancient friendship between Great Britain and the colonies; and that in no instance he ever excited, on either side, the dissentions which separated them. That the commencement of the present war was a subject of great grief to him, in as much as he foresaw and foretold, in letters now extant, the distresses which both countries experience at this day. That in the rise and progress of the war, he extended every act of kindness in his power to persons called Loyalists and Quietists, as well as to British prisoners of war; very ample proofs of which he can produce. That he was captured on the American coast, first landed upon American ground, where he saw exchange of British and American prisoners in a course of negociation; and that such exchange and enlargements upon parole are mutually and daily practised in America. That he was committed to the Tower on the 6th of October, 1780, being then dangerously ill; that in the mean time he has, in many respects, particularly by being deprived (with very little exception) of the visits and consolations of his children, and other relations and friends, suffered under a degree of rigour almost, if not altogether, unexampled in modern British history. That from long confinement, and the want of proper exercise, and other obvious causes, his bodily health is greatly impaired, and that he is now in a languishing state; and, therefore, your representer humbly prays your honours will condescend to take his case into consideration; and, under proper conditions and restrictions, grant him enlargement, or such other relief, as to the wisdom and benignity of your honours shall seem fitting.

"HENRY LAURENS."

"Tower of London, Dec. 1. 1781."

The admission of Mr. Laurens to bail, and the exchange of General Burgoyne, which soon after took place, together with the subsequent alterations in the political government of the country, made it unnecessary for Mr. Burke to proceed with his intended bill of regulation.

Mr. Burke's Motion for an Inquiry into the Confiscation of the Effects taken on the Island of St. Eustatius.

December 4.

THE order of the day being read,

Mr. Burke rose to enter upon the subject of which he had given notice relative to the conduct of Sir George Rodney and General Vaughan at St. Eustatius; but as he intended to move for a committee, he did not think it would be necessary to go into a detail of the business at this moment, if the House should think proper that a committee should be appointed. He was here called upon to make his motion, that the House might judge, whether it would be proper to agree to it or not. He then read it, viz. "That this House will resolve itself into a committee of the whole House, to examine into the confiscation of the effects of his majesty's new subjects of the island of St. Eustatius, as well as of goods and merchandize the property of his majesty's British subjects, and into the sale and conveyance of the same to places under the dominion of his majesty's enemies, and to other places, from whence his said enemies might be easily supplied therewith."

Lord George Germain said, that there were assumptions in the motion which could not be proved; or, at least, which ought to be proved before the House could, in justice, agree to it; and this was the sale of the goods in question, either to the enemy directly, or indirectly through other hands. With respect to the confiscation, that was a matter to be discussed in another place: the legality or illegality of the measure was properly cognizable in a court of law: the parties concerned had resorted to the law of the land, and by that law the legality or illegality was to be ascertained. The matter being at issue, did the honourable gentleman wish to interfere? Or would the

House think it just to come to any resolution respecting the transaction, *pendente lite*? If the commanders had done wrong, the injured parties would be redressed; if they had done right, the law would say so.

Mr. BURKE replied, that the doctrine laid down by the noble lord would, if adopted, be productive of the greatest mischief; for in every case, where a question of law and of state policy were united, one of the parties concerned had only to appeal to law; and then, *pendente lite*, the policy of the nation must sleep, and by proper manœuvres it might be made to sleep till doomsday; for if it was not to be awakened till the suit should be determined, it might rest almost for ever, as it might suit the interest of the parties concerned never to bring the matter to issue; and then no decision having been had, and the *pendente lite* still remaining, the question of policy, according to the noble lord, could not, or at least ought not, to be agitated. Such reasoning was too ridiculous to be adopted by a House of Commons.

Mr. Burke here entered upon the subject. He began with ridiculing the conduct of the admiral and general in directing their great force against the place where the least resistance was to be expected, and attacking with a small force the places that were most capable of defence, viz. St. Vincent's and St. Eustatius. The admiral inconsiderately, and without proper information, attempted to take the former with a small force; but finding himself unequal to the task, he gave up the design, but not without shewing upon what principle he carried on the war: he had been invited by the calamity of the hurricane which he hoped had desolated St. Vincent's, to make a descent on that island; but finding the enemy stronger than he expected, he was determined to distress the poor inhabitants as much as he could; and as he was not able to carry this island, he endeavoured to distress it as much as possible, and carried away all the negroes that he could collect. The inducement which the admiral had to invade St. Vin-

cent's was so repugnant to the dictates of humanity, that it was really astonishing how the noble lord, who was secretary for the American department, could think of publishing that part of a letter, which said, it being probable that the hurricane and earthquake had so weakened the island of St. Vincent's, that a British admiral was resolved to add the horrors of war to the scourge of heaven, and to destroy by the sword those who had survived the dreadful calamity of storms and earthquakes. The publication of this letter was impolitic to the last degree; for, as we were determined at all events to carry on the present war, it should have been the care of ministers to conciliate, as much as possible, the good will of the different states with whom we are not at present at war. Our ministers should have considered two things: what force they themselves had to prosecute the war, and how they might increase that force by alliances. As to our own force, it was well known that it was inferior to that of the enemy; ministers were therefore highly to blame in publishing a letter that would naturally make other powers not only lukewarm in our cause, but even induce them to think that we deserved our fate. It was a mistaken notion that cabinets were mere machines, moved only by interest: cabinets were composed of men, and men must have their feelings and passions. If we had always acted upon the defensive, never provoked an enemy, or made an improper use of our own force, we should be pitied at least in our distress, and compassion might raise us friends: but the publication of the letter he had mentioned, must, he was afraid, have stifled compassion in the breasts of all the princes in Europe, and made them think we deserved the misfortunes we suffered; and the more so, when the conduct of the French admiral had furnished them with so striking a contrast: Sir George Rodney attacked St. Vincent's, but not being able to take the island, he carried off the negroes, in order to distress the inhabitants as much as he could; Comte de Grasse, when he took Tobago, forced all the privateers to deliver up the negroes he had taken

from that island, and restored them to the inhabitants, whom he even permitted to send their produce to England, if they should please.

Our commanders, having miscarried before St. Vincent's, directed their arms against St. Eustatius; and as they knew that no resistance of any consequence could be made, and that three stout privateers well manned might have taken the place, the British commanders, to keep up the consistency of their conduct, appeared before it with fifteen ships of the line, a proportionable number of frigates, and 3,000, or at least 2,500, of the best troops in the world. The force to resist this powerful armament consisted of a few pieces of useless artillery, and about thirty-six soldiers, who might be assisted with some invalids, &c. to the amount of twenty-four more; in all about sixty men. On this occasion, said Mr. Burke, the miracle of Jericho was needless; for at the first sound of the trumpet, and long before the ramparts could have fallen, the place, being incapable of defence, surrendered at discretion. But it seems that our commanders interpreted discretion into destruction, for they did not leave the conquered a shilling. Discretion, in the language of the civil law, meant *arbitrium*; not *arbitrium cujuslibet pravi*, but, *æqui bonique viri*, and of course was to be taken in a favourable interpretation: and therefore the moment the people laid down their arms, they were entitled to protection; for where hostilities end, there protection begins; the inhabitants ought therefore to have received protection, though, from the manner of their surrender, they could not claim a privileged protection. But what was the protection they received? Their warehouses were locked up; their books taken from them; their provisions even withheld; and they were compelled to give in an account of all their ready money, plate, jewels, &c. nor was rank, or sex, or age, spared in the general order; all were included, and all were forced to comply; nay, so great had the hardships been, which the inhabitants were forced to undergo, that

Governor Meynell, who died, was supposed to have fallen a victim to the hardships he had endured.

The next measure was the general proscription of all the inhabitants, by which they were ordered to quit the island; all without exception: the Dutch were banished because they were Dutch; the Americans, because they were the king's enemies. Ill-fated Americans! destined to be always the objects on which the English were desirous to heap misfortunes; banished as enemies from St. Eustatius; surrendered without condition at York-town, though friends: consequently destined to suffer, either as friends or foes to Great Britain, and to receive the deadly blow from her own hand! Among these, the case of Mr. Gouverneur was not a little remarkable: he had traded solely in dry goods, and no naval or military stores whatever had passed through his hands; but he acted upon commission from the congress. This gentleman was seized, his property confiscated, and himself hurried on board, to be carried to England; while his wife was unable to obtain even a bed from her own house, for her husband and herself. It was true, indeed, that on board they were both treated with the greatest humanity by Commodore Hotham and Captain Halliday; but the guilt of those who had treated them so barbarously could not be effaced by the humanity of other people. Mr. Gouverneur had no chance for his property in the hands of the admiral and general. They viewed him in a two-fold light, and thereby were sure to catch him doubly: they considered him as a Dutchman and an Englishman; as a Dutchman, they confiscated his property; as an Englishman, they confined him as a traitor, and sent him to England, to be reserved for the justice of his country to pronounce upon him. But did not the commanders know, that if he was a subject of this country, and even guilty of treason, his property could not be confiscated, until a jury of his country should have pronounced him guilty? It was conviction alone that produced confiscation, and gave the king a right, which a moment before he did not possess, to dispose of the con-

vict's property. But the commanders went to work another way; they first confiscated and made sure of the goods, before they knew whether Mr. Gouverneur would be convicted or not; and then subjected him to the hardships of four or five months' close confinement in a gaol, with the meanest and most depraved malefactors.

The French inhabitants of the island of St. Eustatius were also banished, but they were indeed treated with a degree of politeness which the other nations had not experienced. The Americans our subjects, and the Dutch our natural allies, were treated with uncommon severity; whilst the French, our natural enemies, met with some respect and politeness; probably because they were the subjects of a polite nation, or rather because a retaliation was apprehended. Letters, indeed, had passed between Sir George Rodney and the Marquis de Bouille, which were conceived in language that equalled the highest that had been used in the wildest days of ancient chivalry; and there the admiral bid defiance to the enemy, and told him he did not dare to retaliate: but if retaliation had not taken place, it was not to be ascribed to fear, but to the native generosity of the King of France, and the sense he entertained of public justice. Our own merchants at home had solicited relief, but they could find it only at the foot of the French throne; and the British ministry, who could not be moved by the dictates of national justice, or the supplications of our merchants, soon gave way to a menacing letter from the court of France, in which the French king said, that, contrary to his natural disposition, he should be obliged, in justice to his subjects, to have recourse to retaliation, if the British ministry would not adopt a different line of conduct. Ministers then gave, and the French met with, better treatment after the menace had been conveyed to our court. It was really a matter of astonishment, that the English should act in a manner to provoke retaliation; yet so it was, that at the very time Lord Cornwallis was surrounded with forty-two pieces of heavy artillery when he could not so much as shew the nose of a gun to the

enemy, General Arnold was employed in burning shops and houses in New Hampshire; and this species of warfare was unknown even to General Arnold, till he joined the British standard: but so common was that kind of war to the English, and so many acts had the enemy to retaliate upon them, that, by the most unheard-of article, Lord Cornwallis was obliged to strengthen the flank of his capitulation, in order to screen his troops from all reprisals under the idea of retaliation.

The poor Jews at St. Eustatius were treated in a worse manner, if possible, than all the other inhabitants; they were stripped of all their money, and eight of them put on board a ship to be carried out of the island: one of them in particular, Mr. Hoheb, a venerable old gentleman, of near seventy years of age, had even his cloaths searched; and from this bit of linen [holding it up] which was sewed in the poor man's coat, were taken thirty-six shillings, which he had the consummate audacity to endeavour to conceal for the purpose of buying victuals! Here is the linen; and I can produce at your bar the coat from which it was taken, and the man who wore it. Mr. Hoheb was treated in the most harsh manner, as were all his brethren, for this concealment. This treatment, Mr. Burke said, brought to his mind a story of an Irish gentleman, who, finding his wife indulging a little too freely in the follies and amusements of London, carried her over to a venerable old castle he had in Ireland. The lady's acquaintance in London were much offended at this step, and their expressions of disapprobation reached the gentleman's ear: upon this he said, the world dealt whimsically by him; "for," said he, "if I had run away with another man's wife, I should have been applauded, as a fashionable man; but because I ran away with my own wife, I am censured by the world." So with the Jew: he was ill-treated because he had endeavoured to carry away some of his own money.

With respect to the confiscation in general, the commanders were without the shadow of excuse; for they had very able assistance at hand, if they had thought proper to

resort to it; they might have taken the opinion of his majesty's attorney and solicitor-general of St. Kitt's on the point of law, but no such opinion was ever called for, though Mr. Bridgewater, the solicitor-general, had been twice with Sir George Rodney. This was a fact which should be proved at the bar, if the House would go into the inquiry.

The commanders-in-chief having determined upon the confiscation, the next thing to be thought of was the sale of the goods. A proclamation was accordingly issued, promising free ingress and regress to all purchasers, together with security that their money should not be taken from them, and that they should be at liberty to carry away the goods they should purchase: this promise of protection *eundo*, *redeundo*, and *commodando*, might not have been thought necessary from any but the conquerors of Eustatius. Seventeen flags of truce were ordered from various parts to that island; and the goods being set up at auction, *ad crudelem hastam*, they were mixed so as to make proper assortments; and, in particular, a kind of sail-cloth called Maven's Stuff, which was generally used for scudding and stay sails, and of which kind half the sails of every American vessel were made, was sold to whoever should purchase, without taking any other notice of the purchaser, than to see if he had money enough. Another difficulty, however, was still to be obviated; the privateers were like vultures, hovering round the island, waiting for the return of the purchasers, to pick up their purchase. If this difficulty had not been obviated, there would have been no purchasers: a convoy was therefore promised to them, and actually granted; and he could prove that the convoy was the Convert frigate, Captain Hervey, which was appointed to see the purchasers with their commodities clear of the privateers, by which means the goods got safe into Martinique, a place which our privateers would never have suffered them to reach, if St. Eustatius had remained under the Dutch. Another circumstance was, that the goods so sold had been disposed of 50 per cent. cheaper than the

Dutch had before that sold similar articles to the French; so that, in fact, the only use that the conquest of St. Eustatius appeared to be of, was, that the French and Americans had been supplied with stores, by conquerors, and at 50 per cent. cheaper than they used to get them from the Dutch. The provocation of the English, to confiscate every thing, was merely imaginary; for the Dutch sold equally to all nations: and though it was said in the last session of parliament, that Sir George Rodney had applied for cordage to the Dutch, but had not been able to obtain any, the reason was, that at the time they had scarcely any on hand. This was a fact; and he would prove it by the books seized there, and by living witnesses, who would also establish these two facts, that at St. Eustatius the English always had the preference at the market; and that at the time Admiral Rodney could not obtain cordage at St. Eustatius, it was so scarce, that what little there was sold at 10 per cent. dearer than at St. Kitt's.

In the glorious business of the sales were the two commanders taken up from the beginning of February to the beginning of May; a period in which the admiral had twenty-one sail of the line under his command, and 3,000 veteran troops at St. Eustatius, while the enemy had not six sail at Martinique. That, surely, was the time for offensive operations, when the enemy had not force to oppose us; that, surely, was our time either to recover some of our former possessions, or to take others from the enemy: but that time was lost; and the first misfortune that sprang from it was, that Sir Samuel Hood was left with an inferior fleet, to fight the superior force of De Grasse just arrived from Europe. The position of that admiral was not such as to prevent four of the enemy's ships in Fort Royal from coming out and joining De Grasse: thus the enemy was strengthened, while our force was weakened by the detention of three ships of the line at St. Eustatius. If our fleet had been reinforced by these three, the four which came out from Fort Royal might have been blockaded; and

in that case it was probable De Grasse would have been defeated; but this was lost by the conquest of St. Eustatius: a check to De Grasse would have disconcerted all the plans of the French cabinet: Tobago would not have fallen, and De Grasse would not have been left at liberty to bring upon us the dreadful disaster in the Chesapeak; another of the blessed consequences of the conquest of St. Eustatius, which, it had been said in an official dispatch, would have put an end to the American war: it might so indeed; but in the oracular way, by ruining us, and thereby disabling us from carrying it on. God send that the loss of Jamaica might not be the next effect of this fatal conquest! Tobago was taken under the very eye of Sir George Rodney, as De Grasse expressed himself; and the same admiral said in his dispatches, he had several times offered the British admiral battle, which the latter had thought proper to decline. This might be called a ground of crimination: the first notice Admiral Byng had of a charge against him, was a copy of M. de Galisonniere's account of the action; but as this was, in his opinion, a hardship on Admiral Byng, he would not charge Sir George Rodney from De Grasse's dispatches; but the capture of Tobago gave, nevertheless, an appearance of truth to the assertion of De Grasse. The capture of that island was of the greatest consequence to this nation: its cotton was the finest we got from the West Indies; and by the loss of Tobago that article had risen from 1*s.* or 1*s.* 8*d.* to 3*s.* and 3*s.* 9*d.* It was a fact that 20,000 people in Lancashire got their bread by the manufacture of cotton. He trembled to think of the consequences that might attend the loss of Tobago, which he must ascribe to the three months' delay at St. Eustatius. The admiral stood charged with that loss, and under the hand of the very governor of the island.

This was the sum of the charge. He wished that he might have an opportunity of entering into the proofs of it by evidence at the bar; he hoped a proper defence would be made to it, and that the two commanders in question would not sit down contented with their own self-approba-

tion, or the support of their friends in that House. Self-acquittal was not enough: a man might say,

——— Populus me sibilat at miho plaudo
Ipse domi, simulac nummos contemplor in area:

but something was due to the public and to justice. For his part, he declared he never would abandon those whose cause he had undertaken, until the matter was sifted to the bottom. The character of an accuser, it was true, was odious; but it was so only when the accusation was brought against the innocent, the weak, the oppressed, or perhaps indigent culprit: but it was not odious to accuse guilt in stars and ribbons — guilt rewarded and countenanced by the official and the opulent.

Sir George Rodney and Major-General Vaughan entered into a defence of their conduct at St. Eustatius. The motion for a committee of inquiry was strongly supported by Lord John Cavendish, General Conway, Mr. Fox, Colonel Barré, and Mr. Sheridan. It was opposed by Lord George Germain, the lord advocate of Scotland, the secretary at war, and Lord North. The two last objected principally to that part of the motion which tended to prejudicate and affect the claims under litigation in the courts below; declaring their readiness to consent to the fullest investigation of the remaining charges. The lord advocate objected to the whole, for want of a specific accusation, and because, he said, the allegations were too indeterminate to be the ground of a parliamentary inquiry. The motion being at length amended, so as to except "all wares and merchandise claimed in the courts of Westminster-hall," Lord North observed, that he saw the cause of the enemy espoused, and that he thought no man with British feelings would join in the condemnation of the honourable admiral and general. With respect to the admiral, he must do him the particular justice to say, that he had received a letter from him, wherein he had said he did not consider the property taken at St. Eustatius as belonging to himself but to the crown, and that he only had the care of it.

Mr. BURKE rose again. With indignation he declared he wondered how the noble lord dared to talk of British

feelings. He! he talk of British feelings! He! who had ruined the British empire, and wasted its blood and treasure! He said, he had British feelings, but he would nevertheless take the part of an enemy when he appeared to him to be oppressed. If, for instance, an enemy should be murdered after surrendering himself, he would stand forward as the prosecutor of his murderer: if, for instance, an enemy should have his property seized after capitulating, he should find an advocate in him: and if, for instance, an enemy complained of the minister having broke the faith of government with regard to him, he should find an advocate in him, and, he trusted, in the British House of Commons. With respect to the letter which the noble lord had received from the honourable admiral, acquainting him that the capture of St. Eustatius was a very rich one, and that it all, every farthing of it, was the property of the crown; he could not but admire, that such a minister as we had, who was an old minister, and a full-grown minister, should come to the House,, and tell them, that he had received a letter from the admiral, informing him that every thing at St. Eustatius was the property of the crown, in answer to the proposed inquiry. From such conduct the minister might naturally be concluded a very young man, with a large napkin under his chin. The letter he thought more proper to have been sent to the attorney-general; but he supposed the noble lord, who acted on the occasion as a lawyer, and sent word to the admiral, that the property was all his, as the attorney-general would have done, had taken a fee for his advice. With regard to the question, the noble lord might do as he pleased with it. He might cut it, and mangle it just as he pleased; but though he should cut it into a thousand pieces, if he got but any part of it, it would be sufficient for him. But the noble lord had divided his motion in a manner that put him in mind of a murderer, who having amputated all the limbs of a child, threw them different ways, in order that the father might be employed in picking them up, instead of pursuing the murderer. He said, he had a body of

evidence to adduce at the bar, and would go into the matter that night, or whenever the House should please. He desired the House would suffer the inquiry to be gone into, and he would pledge himself that he would prove every thing he had said.

The House divided: Yeas 89: Noes 163. So it passed in the negative.

February 4. 1782.

Mr. BURKE rose. He said that he held in his hand a petition from Mr. Hoheb, the Jew, whose misfortunes he had described in a former debate; this was the Jew, whose coat was ripped, and from the lining of which, the small sum of money was taken, which he had endeavoured to secrete, when he and the other people of his nation were obliged to quit St. Eustatius, by order of Sir George Rodney and General Vaughan.—The petition was then brought up and read. It stated that he was of the Hebrew nation, a native of Amsterdam; and that he had been a resident of St. Eustatius for twenty-five years; that when that island had submitted to his majesty's government, he and all the others of his nation had been forced to quit the island, though no crime whatever had been proved against them; nay, though not so much as a charge of a crime had been made, unless it was, that after he had received orders to depart, it had been discovered that he had sewed up a few shillings of his own money, in the lining of his coat; that afterwards he had been permitted to return to St. Eustatius, but it was only to see the whole of his stock in trade sold for one-third of its value, and appropriated to the use of his Britannic majesty; that he had got out of all his property one small bag of money, which was in his bureau, when he was banished from the island; and afterwards he obtained leave to come over to England, where he could

expect redress only from that House: because, if he should be referred for his remedy to the courts of law, it would be totally out of his power to avail himself of that remedy, and, stripped of his whole fortune, to contend with Sir George Rodney and General Vaughan, who by the very means that had put it out of his power to fee lawyers, had secured to themselves the means of withholding from him that property which he had been his whole life in acquiring. He therefore prayed for such relief as the House in their wisdom should think proper to grant him.

The secretary at war, Mr. Jenkinson, wished to know what was the specific object the honourable member had in view? If he was desirous to move for a grant of public money for the petitioner, he would recollect to what consequences such a measure might lead; for if it should once go forth into the world, that all those who might have causes of complaint against officers, should obtain pecuniary compensation from that House, there would be no end of applications.

Mr. BURKE said he was desirous only that the petition should go to a committee, in order to determine whether the allegations it contained were founded in truth, or not: if it should be discovered that they were true, then undoubtedly he would wish to have some compensation for the unfortunate man. The right honourable gentleman's objection to the present mode of application was truly curious. If, said he, you were to redress all those who have cause of complaint against our officers, there would be no end to applications of this nature: or, in other words, so many are the flagrant acts of oppression committed by our officers, that we should not find time to attend to all the applications for redress: a fine compliment to our commanders truly! How different was the conduct of the French commanders! The Marquis de Bouille by his spirit and activity had wrested from us many of our possessions; but he treated the conquered with tenderness and humanity: the fortune of war might wrest victory from us, without disgracing us, or robbing us of our virtue, which was beyond the reach

of fortune: but our commanders had robbed us of that which fortune could not have taken from us, they had robbed us of character; they had committed acts which had robbed the nation of that high name which it was accustomed to bear in Europe, for its liberality and justice; in arms the Marquis de Bouille had already stripped us of some of our islands; it was to be feared that by his justice, his moderation, and his clemency, he would strip us of the few that remained. It was no disgrace to this country, that St. Eustatius, with a garrison of 700 men, should have been surprized by 300: such things had often happened in war, and would undoubtedly happen again; but the honour and reputation of a country were not affected by such an event. At St. Eustatius the commander might have been negligent, and ought perhaps to be punished for his negligence; but his negligence did not dishonour the nation; it was when private property was ransacked, when innocent people were stripped of all they were worth, and banished from the island, that such acts of barbarity would remain stains upon the national honour, if the nation did not, by some public declaration, express its abhorrence of them. What a disgraceful contrast did the capture and re-capture of St. Eustatius hold forth to the world! Two British commanders plunder every unfortunate inhabitant of the island. The Marquis de Bouille restores, as far as he can, to every man his property. The British officers strip the Dutch governor, and plunder even his lady, breaking open her cabinet, and taking from her every thing valuable found in it; and at the same time endeavour to justify or palliate the act, by blasting her character, saying that she was an usurer: the French commander, on the other hand, restored, even to the negligent English governor, all the property he claimed as his own; and did not insist on any other voucher than his bare word. Here the character of England, he said, was at stake; and he implored gentlemen to have pity on their country, though they should have none on the poor Jew. If in the sitting of the committee, it should be discovered

that the allegations in the petition were true, ministers might make compensation to Mr. Hoheb, without giving him any of the public money; they might give him a slice of the loan; for it had been often said, that the profits made on a loan, were not from the public money, or they might set him *en croupe* of some fat contractor: these were means of redressing the grievances of which he complained, without any application to the public treasury. Mr. Burke continued for a considerable time in a vein of wit and humour; speaking of the fast, and the unfortunate Jew, who on his way from Jerusalem to Jericho, fell into the hands of robbers, he recommended the example of the good Samaritan, and thought that to follow it would be the best way to observe the fast; though the right honourable secretary at war seemed to be of opinion, that if the House were to relieve all the unfortunate who should fall into the hands of robbers in power, the nation would soon be exhausted. He was ashamed that the public treasury should have been contaminated with the plunder of St. Eustatius; or that any part of it should have been confiscated for the king's use: the Jews would not have done so; they would have nothing to do with the thirty pieces of money brought to their Sanhedrim by Judas Iscariot. He concluded by moving that the petition be referred to a committee.

The motion was agreed to.

GENERAL CONWAY'S MOTION FOR PUTTING AN END TO THE AMERICAN WAR.

February 22.

THE appointment of Mr. Welbore Ellis to the office of secretary of state for the plantation-department, vacant by

the resignation of Lord Sackville, and of Lieutenant-General Sir Guy Carleton, to succeed the commander-in-chief of the forces in North America, having occasioned a general alarm amongst those who were persuaded that there still existed a secret and obstinate attachment in the court to the prosecution of the war against the colonies, it was resolved to make another attempt in the House of Commons, to bind up the hands of the executive government, by a strong and explicit declaration of the opinion of parliament. With this view, General Conway, on the 22d of February, moved, "That an humble address be presented to his majesty, earnestly imploring his majesty, that, taking into his royal consideration the many and great calamities which have attended the present unfortunate war, and the heavy burthens thereby brought on his loyal and affectionate people, he will be pleased graciously to listen to the humble prayer and advice of his faithful Commons, that the war on the continent of North America may no longer be pursued for the impracticable purpose of reducing the inhabitants of that country to obedience by force; and expressing their hope, that the earnest desire and diligent exertion to restore the public tranquillity, of which we have received his majesty's gracious assurances, may, by a happy reconciliation with the revolted conies, be forwarded and made effectual. to which great end his majesty's faithful Commons will be ready most cheerfully to give their utmost assistance." After the motion had been seconded by Lord John Cavendish, and opposed by Mr. Ellis, the new secretary of state,

Mr. BURKE rose and made an admirable commentary on the speech of the American secretary. The House had no doubt been exceedingly attentive to the speech of the right honourable gentleman who had risen, so soon after his appointment to the important office which he now held, for the desirable purpose of giving complete satisfaction to the House on the questions of the right honourable general who had moved the proposition. Whether he had done so or not, the House were now to determine; but there was one expression of the new minister at the latter end of his speech, which forcibly marked the quality and nature of the explanation which he had more than

once given of his principles and of his plan of conduct. The right honourable secretary declared that he had given the House "his confession of faith." This was the name which he had given to his satisfactory explanation, and with infinite justice; for, said Mr. Burke, it resembles many other confessions of faith which I have seen, and which you must all have seen: though it may, by the effect of some internal light, be perfectly intelligible to the right honourable member himself, it will be totally unintelligible to all the rest of mankind. A confession of faith more obscure, more confused, more intricate, and more absurd, perhaps was never framed and published for the delusion and calamity of mankind. Like confessions of faith of the same unintelligible nature, it could only be supported by miracles. For what had this new minister said? What satisfaction had he given to the House, and for what had the new arrangement in office been made; to which the nation had looked with expectation, and considered as the date of a new system, founded on conviction of past errors, in which this fatal and ruinous war was at length to be given up? Not one thing which had not been said a hundred times by the last American secretary, and which had been said for the delusion of the House five years ago. The American war was to be continued; the same system was to prevail; the kingdom was again to be drained of men for the support of it; and more millions were to be lavished and lost in the pursuit; for to all this expressly did the confession of faith of this new minister go. It might have been expected at least, that when a new minister was appointed, a new language would have been held, if not a new system adopted; but even with this the House were not gratified. Not one new idea, not one new sentence, not one new word; but the self-same, old, hacknied, stale, and common language. Yes, there was one new idea started, and he begged gentlemen to attend to it. This hopeful contest, though it was to be continued, was no more to be considered as an American war. Its locality was nothing; its being carried on in the colonies was

nothing; it was now converted into a French war. This was the only thing in which there was either novelty or change; and from the new arrangement in office, this was all that had been produced. A new arrangement had been made, that a peerage might be conferred on a man who had dismembered his country, that the American war might be converted into a French war, and that an old man might be changed into a new minister. He defied all the world to find another benefit from this alteration. The American war was to be considered as a French war; and we were to go on persecuting the Americans, not for the purpose of reducing them to obedience by force, but for the purpose of reducing the French. What was the absurdity, or rather what was the wickedness of this idea! In the beginning of the present session, the effect which the loss of Earl Cornwallis's army produced, forced the ministers to give assurances to the House that they would contract the scale of the war, and that it would be conducted, in future, on a very different plan from what it had been. Here, then, was the execution of this ministerial assurance: we will no more prosecute the American war — we will drop that entirely — we have no farther intention of reducing the Americans to obedience by force; but — but — here is the fine ministerial distinction, and the new plan of delusion — but we must prosecute the French war which now rages in the fields of America. Did not gentlemen perceive at what they aimed by this new argument? Surely they must see, that under this pretext, every hostile and offensive operation that can be contrived for the distress and persecution of the people will be continued, when they have no longer the hope to subdue.

But how did the new minister discover that the war in America was to be considered as a war with France? Had he discovered that the French and Americans had entered into an alliance, and that France had bound herself to support the independence of the colonies? What proof had he of this fact? Or what intelligence which justified him in saying, that by prosecuting the American war, we fought

against France? Instead of making thereby a diversion against the enemy, we unfortunately made a most material and injurious diversion against ourselves in favour of France; and she would continue that diversion as long as we pleased; for it cost us twenty thousand for every thousand that it cost them. But under this new name of a French war the American contest was to be persevered in; and from this new minister we were to receive exactly the old system. The right honourable gentleman had told the House exactly the story which he had told for five years. He had for a long time, in an inferior order of ministerial existence, crawled upon the leaves of the American system; but now, like the caterpillar, he had left the chrysalis state, his wings had broke from their foldings, and now expanded, he took his flight; but though his appearance was different, the creature was the same. Indeed, it might with truth be asserted, that the late secretary for the American department, though called up by a patent to the other House, was still to be found in effigy in his old seat. There he sat, with all the plans of the American war thick upon him. The right honourable gentleman was the noble lord's universal legatee. On his political death he had bequeathed to the right honourable gentleman all his plans, projects, and measures, nay, his ideas, language, and words — all and several the parts and parcels of the American war he had transmitted by his last will and testament to the right honourable gentleman, who was his heir, successor, executor, and universal legatee; not one scrap had he suffered to go into other hands, but all had devolved on this new minister, and he still spoke, lived, and acted in that House, as heretofore, only he had gone into the shape of the right honourable gentleman. Before he had been many days, nay many hours among them in his new capacity, he had thought so meanly, or so ignorantly of the sense and dignity of parliament, as to believe that they would suffer this insult of going on with the American war under a new name. Though he was a new minister, he was an old member, and he ought to have known and felt

more respectfully and justly of parliament. What! at this day, after a seven years' experience of the absurdity and impracticability of the contest, to be told that we were to go on! Not one ragged nor tattered fragment of an excuse to cover the design; that, at least, if men were to be seduced, there might be the grace of delusion in the business; no cover, no disguise — none but the miserable and ridiculous stratagem of giving a new name to the old story. The cheat was too paltry to pass even upon parliament, much less on the suffering and burthened people, whom it was ultimately to affect.

That he was correct in asserting, that the right honourable gentleman was the universal legatee of the noble lord, was evident from this, — he had succeeded to his hopes, to his intelligence, to his knowledge of our numerous friends in America, to his total ignorance of every thing that tended to peace. He had said, that he had great and good reason to believe, and to be persuaded, that we had many and numerous friends in America. He did not know it; he had no personal knowledge of the fact; he had only good and substantial reasons to believe it. The fact was plain, the right honourable gentleman was already in possession of all the noble lord's refugees; 72,000*l.* worth of refugees had come to him as part of the inheritance. Oh! exclaimed Mr. Burke, that we could only come to the happy moment when ministers would be pleased charitably to forbear the name of "our friends in America!" It was "our friends in America" that had done us all the mischief. Every calamity of the war had arisen from our friends; and if such were to be our friends, he wished to God that we might hear of them no more. When exhausted and famishing, had our friends assisted us? Had they brought us a single bullock, a single bushel of Indian corn? Had they assisted us in any one shape or way? No: they had drawn us in the north to Saratoga; and in the south to York-town. What did the right honourable gentleman mean by his holding out the delusion of more friends? Did he recollect, or did he

think of the tenth article of the last capitulation? Or did he mean to make other tenth articles for the purpose of giving up what few friends we might still have left?

The right honourable gentleman also had hopes of success. After all our calamities, after having found by experience, that when we had only America to oppose, we were unequal to the reduction; now that we had a fresh accession of enemies, nay, that we had the most powerful in the universe to oppose, he had reason to entertain hopes. Miserable hopes! What had the American war produced? What but peerages and calamities? What but insults and titles? Was there any thing to give hope? O yes, we must not only have hope, but confidence in ministers. Confidence! could we have confidence in the men who still determined to prosecute this mad and impolitic war? It was impossible. Could we have confidence in this new minister, who seemed determined to tread in the footsteps of his predecessor? He had heard nothing of propositions of peace. He had found no traces of any thing like negociation for peace in his office. Oh, no! There was no reason to expect any thing of that sort in the office of his predecessor; or if there was, he dared to say that it lay hidden and concealed, unless the right honourable gentleman had taken the trouble to make particular inquiries of the principal people in the office, whether or not there were any papers in the place relating to propositions of peace. But it was not the temper of the noble lord to cherish any thing of that sort. Yet surely the new minister must know, that there had been propositions of peace made under an act of parliament, by the commissioners sent from this country; and for the purpose of shewing that the noble lord, who had lately gone up to the other House, after seeing those propositions made in the moment of his absurd hope, that was, in the very moment of actual distress, not only forgot, but expressly contradicted the offers that were made, Mr. Burke read extracts of a letter from Lord George Germain, to a gentleman in America, in which he recommended to him, in settling with such as might be inclined to return to their

allegiance, to repress the republican spirit, and to adhere closely to the old constitutions. Mr. Burke said, that the moment of our ruin in America was the season of the noble lord's hope. He had indulged expectations of success so ill-founded and fallacious, that in the very instant when he formed and retailed them, the serious plan for our destruction was formed, and beginning to be put in execution. To shew this singular fact, he read several extracts of letters from the late American secretary to Sir Henry Clinton and others of his confidential correspondents, dated in the months of January, February, and March, last year, in which he informed them, that all was perfectly safe in France, there was nothing to be expected from that quarter, and therefore he planned and suggested another expedition like that of General Burgoyne, to be performed by General Haldiman from Canada, just at the time when De Grasse sailed from Brest with the armament which captured the army of Earl Cornwallis at York-town. In the month of February 1781, he knew nothing of the armament which sailed on the 7th of March 1780. In the month of February he ordered a new expedition, that another army might suffer the disgrace of a surrender. He received all his American intelligence from France, and his French intelligence from America. He recommended to Sir Henry Clinton, at a time when the exchange of prisoners was stopt, to send the American prisoners to the West Indies, to recruit our regiments there, "because there was a great mortality reigning among them in that intemperate climate." This was the way in which he laboured to regain the scattered affections of America! This was the way in which he strove to conciliate their warring dispositions, and bring them to loyalty and peace! This was the plan and conduct of the war, from which he had retired with the distinguishing reward of a peerage!

After a debate which lasted till two in the morning, the House divided: Yeas 193: Noes 194. Majority against General Conway's motion *one*.

LORD JOHN CAVENDISH'S MOTION OF CENSURE ON MINISTERS.

March 8.

THIS day the following resolutions were moved by Lord John Cavendish: 1. "That it appears to this House, that since the year 1775, upwards of an hundred of millions of money have been expended on the army and navy in a fruitless war: — 2. That during the above period, we have lost the thirteen colonies of America, which anciently belonged to the crown of Great Britain, (except the posts of New York, Charles-town, and Savannah,) the newly acquired colony of Florida, many of our valuable West India and other islands, and those that remain are in the most imminent danger: — 3. That Great Britain is at present engaged in an expensive war with America, France, Spain, and Holland, without a single ally: — 4. That the chief cause of all these misfortunes has been the want of foresight and ability in his majesty's ministers." The resolutions were seconded by Mr. Powys, and supported by Mr. Martin, Mr. Thomas Townshend, Mr. Burke, Sir Horace Mann, Lord Maitland, Mr. Fox, Sir Fletcher Norton, Mr. Thomas Pitt, Mr. Sheridan, Mr. Byng, and Mr. William Pitt. The order of the day was moved by the secretary at war, and supported by Mr. Secretary Ellis, Earl Nugent, Mr. William Adam, Mr. Dundas, Mr. Rigby, and Lord North. In reply principally to what fell from Mr. Secretary Ellis,

MR. BURKE rose, and in one of the best adapted pieces of satire he was ever remembered to have made, observed, that the present ruinous system of affairs was not defended by any one man of real independent property. There was no man in that House, unless he had a place, a contract, or some such motive to speak, that attempted to defend them: therefore it was highly indecent for men to echo their own praise, and to be the only persons that could justify their conduct; they were all exactly in the same

tone, and played into each other's hands with extreme dexterity: if a motion censured the American secretary, he was defended by the secretary at war; if the secretary at war was censured, the American secretary thought it his duty to defend him; and if the noble lord in the blue ribbon was accused, then both the others cried out, "Would you remove a man who is at the head of your affairs at this critical period?" He would answer, Yes; now was the time, for the voice of the people was against him, and without their having faith in him, all his ends must be frustrated. Ministers, he said, always made use of the excuse, "You blame our measures after the event has happened, because they miscarried." If ministers meant to exculpate themselves, let them come forth, — let them shew the House what their plans were, how they had formed them, and what they intended; then it would be in the power of the House to judge whether they deserved blame or not; but certainly it was very natural to censure men from the event of their actions, for by what other criterion could you judge them? When first he heard the new American secretary proclaim his profession of faith, he was inclined to think there was some likelihood of his salvation, but as he still persisted in his errors, all that hope of extreme unction was wiped away, and he was now as far from being saved as any of his colleagues. The new American secretary, he said, had got out of a good warm bed, and had ventured, with his eyes scarce open, into a vessel tossed in a tempest, and riding on the billows in a violent storm. He thought him exceedingly unwise in having done so; and declared it might be said to him, what Brutus said to Portia:

> "It is not for your health, thus to commit
> Your weak condition to the raw cold morning."

Upon the present occasion, the right honourable secretary had talked as a physician, a lawyer, and a divine. To answer him as a physician, he should declare, that on

finding his former doctor had ruined his constitution, he would call in the advice of a more skilful man in the profession, and not trust to him who had so mistaken his disorder; he would seek out for the most able physician that could be found, for one to whom every person gave a good name, for one whom the family could trust with confidence. To answer him as a lawyer, he would plainly tell him, that after having lost him thirteen estates, he could put but very little faith in his abilities, nor could he trust him to go any farther. Oh, says the lawyer, in answer, you have lost your estates, it is true, but your title still remains good, it was that I contended for. Would not he immediately answer again, what signifies my title, are not my estates gone, can you deny that? Oh, replies the lawyer, don't complain, your title is still good, and you may by another suit recover them. Yes, answers the client, but there is your bill yet to be considered; that, I am afraid, amounts to as much as the worth of the estates. After a conduct of that kind, could any man suppose the client would suffer the same lawyer to carry on another suit for him? Certainly not; a man of more integrity and greater abilities would be sought for. To answer him as a divine, he was sorry to say, he appeared to have but a bad opinion of the justice of Divine Majesty, to suppose that all our misfortunes could arise from Providence counteracting the designs of his majesty's ministers. He undoubtedly had heard and believed, that Divine Providence had sometimes scourged a land for its wickedness; and the scourge it had inflicted on this country, was a set of abandoned, wicked ministers, for they were the greatest curse that Providence could have inflicted. He had heard of Divine Providence striking persons stupidly blind: he was of opinion a punishment of that sort had been inflicted on the present ministry, which occasioned them to act as they did. The right honourable secretary, he said, had declared, that he quitted his flannel night-cap and his warm bed for a post of danger: in his firm belief, the bed was left merely for the purpose of introducing a Scotch warm-

ing pan*; he was convinced that was the chief cause of the new secretary being created.

Mr. Burke then reprobated the measures of administration for a series of years, and declared, that in looking over the papers on the table, he saw that the sum of 57,000*l.* was set down in the year's expences for presents to Indians; and with other sums for services performed by these savages, the whole amounted to 100,000*l.* with which great sum he only found five-and-twenty women and children butchered. Surely, we had overpaid these good allies of ours, or had estimated the women and children very high. That sum of 100,000*l.* would have purchased two fifty-gun ships complete, which, in his opinion, would have been employing the money to a much better purpose. On looking into the expence incurred for furnishing the garrison of Gibraltar, it appeared that no less a sum than 569,000*l.* had been expended from the Ordnance Office, therefore it would be considerably under the mark to say that 600,000*l.* had been expended there, which would, had it been applied to the use of the navy, have built fifteen line of battle ships, of much more consequence to this country than Gibraltar for the purpose for which we keep it. At the commencement of our war, we should have sent a strong fleet to Gibraltar, to prevent a junction of the Spanish fleet with the French, and should have had another fleet to watch the harbour of Brest, and thereby have prevented them from joining the Spanish. At our breaking out with the Dutch, we should have had a fleet to command the entrance to the Baltic; instead of which we had done neither. We had suffered the fleets of France and Spain to join, and had likewise suffered the Dutch, with an inferior force, to slip past us; we had sent our fleet to Gibraltar, when it should have prevented the sailing of De Grasse, and protected our riches from

* Mr. Dundas, the lord advocate of Scotland.

St. Eustatius; in short, "we had done those things which we ought not to have done; and we had left undone those things which we ought to have done, and there was no help in us." He had, he said, just cast his eye over some of the expences incurred by the American war, and found that the article of forage was not a trifling one; the article of oats was no less a sum than 80,000*l.*, the article of hay 36,000*l.*, and the transport-service, for those two articles, amounted to 43,000*l.* In looking on a little farther, he observed that the victualling bills amounted to 1,250,000*l.* which led him to think there must be a vast army in America; but on inquiring among gentlemen returned from that place, he learned, that our army did not consist of one-third of the force that was charged, and that the number of men actually employed in America could not devour the provisions said to be expended. He then turned in his mind what could become of the provisions, and was at one time in a peculiar manner led to believe, as he had heard it was a French war, that we were victualling the French; in short, after the most minute inquiry, he was obliged to leave off where he began, and remain totally in the dark. The noble lord in the blue ribbon, he said, had declared, that he would never quit his office, until he could quit it with honour; he therefore congratulated the House on the happy prospect they had of keeping the noble lord in office; for if he never quitted his post until he could quit it with honour, he would be bound to say he would retain it until the last hour of his life.

Sir Harry Hoghton having thrown out an insinuation, that Mr. Burke might be supposed to act under circumstances not perfectly independent, and that his prospect of being, if he had not been, the agent of New York, might have the effect which gratitude always had on a mind of sensibility,

Mr. BURKE said, that whoever had communicated the intimation to the honourable baronet was a liar; and he could assure him, if it should be told to him again, that

he might consider the story as a lie. The meanness of the imputation he despised; nor should he have considered it as worthy even of the notice which he had given it, had it not been brought forward, decorated with a dark colouring of seeming candour. He said he had been a member of that House for seventeen years, and he defied any man breathing to charge him with one sinister, one dirty, one interested transaction.

At two in the morning, the question being put, that the other orders of the day be now read, the House divided: Yeas 226: Noes 216. Majority in favour of ministers 10.

CHANGE OF MINISTRY.

March 20.

THIS day, the House being uncommonly crowded, Lord Surrey rose for the purpose of making his promised motion for the dismissal of ministers; but Lord North rising at the same time, for the purpose of communicating to the House some information, which, he said, might make any farther proceeding in the intended business unnecessary, and would require an adjournment, great disorder and confusion ensued, the members in opposition calling out violently for "Lord Surrey," and "No adjournment." As soon as the House was reduced to order, Mr. Fox moved, "That the Earl of Surrey be now heard;" when Lord North, having now obtained a right to speak to the question, observed, that had he been suffered to proceed before, he believed much unnecessary heat and disorder would have been prevented. He meant no disrespect to the noble earl; but as notice had been given that the object of the intended motion was the removal of his majesty's ministers, he meant to have acquainted the House, that such a motion was become unnecessary. He could assure the House, with

authority, that *the present administration was no more*, and that his majesty had come to a full determination of changing his ministers; and it was for the purpose of giving the necessary time for new arrangements that he meant to have moved for an adjournment. The noble lord then took his leave of the House as minister, by thanking them for the honourable support they had given him during so long a course of years, and in so many trying situations. He expressed his grateful sense of their great partiality towards him on all, and their forbearance on many occasions. A successor of greater abilities, of better judgment, and more qualified for his situation, he said, was easy to be found; a successor more zealously attached to the interests of his country, more anxious to promote them, more loyal to his sovereign, and more desirous of preserving the constitution whole and entire, he might be allowed to say, could not so easily be found. He concluded his speech, after declaring that he did not mean to shrink from trial, that he should always be prepared to meet it, that he even demanded it from his adversaries, with moving the question of adjournment. — After Mr. Pitt, Lord John Cavendish, Mr. Fox, Mr. Rigby, and Mr. Baker had delivered their sentiments,

Mr. BURKE rose. He said, that the present was not a moment of levity or exultation; he regarded it with a calmness of content, a placid joy, a serene satisfaction; he looked forward with fear and trembling. It was a moment of great awfulness, and the gentlemen who expected either to form a part of the new administration, or intended to support it, ought to question themselves, to examine their own hearts, and to see, whether they had been acting upon principles that were strictly right, and upon which they could continue to act in power, as firmly as they had done while out of power. If, upon such an examination, any gentleman found he could not, that man, be he who he might, ought not to accept of power. The present, he farther said, was that peculiar period of men's lives, when their ambitious views, that had lain secretly in a corner of their hearts, almost undiscovered to themselves, were unlocked, when their prejudices operated most forcibly, when all their desires,

their self-opinion, their vanity, their avarice, their lust of power, and all the worst passions of the human mind were set at large, and began to shew themselves. At such a time, let men take care what they did, how far they went, and what limits they prescribed to themselves; and let those also who did not wish for power or place, examine what their duty was, and how far they ought to act in future, so as to preserve a perfect consistency of conduct. A great deal of most astonishing eloquence had been heard within those walls, and men of the first and rarest talents had exerted themselves extremely to bring about, what the noble lord in the blue ribbon had that day declared was near at hand. But neither the abilities of the one, nor the eloquence of the other description of persons, had tended so much towards the accomplishment of that which was near at hand, as the spirit of the people, and the conduct of the independent members who best spoke that spirit. They had seen for a length of years the system of corruption going on, and they had seen it with melancholy minds; for, from the immense power of that corruption, from the towers with which it was surrounded and fortified, they saw no hopes of ever being able to overthrow it. For a long time, therefore, they were inactive by dejection; they were rendered submissive by despair; and this fatal torpor gave new and additional strength to the enemy; it gave them the most delusive advantage of all others, the appearance of stability, by which the weak were seduced to join them, and the wicked were confirmed. When you were thus erroneously and criminally negligent, they were safe, but when at length, urged by the accumulated distresses of your country, you saw that there was no benefit to be expected from patience, and that there was even no prospect from hope, you aroused from your lethargy and testified the force of independence. When you joined together with one voice, one mind, and one action, you found that that which lived only by your submission, sunk instantly beneath your attack.

He begged them, therefore, to recollect what their con-

duct had been hitherto, what their conduct had principally accomplished, and what ought to be their conduct in future. The removal of ministers was one great point gained; but the end that every lover of his country must look up to and ardently desire, was not by any means achieved in the mere removal of ministers. Much and the most essential part of the work remained to be performed, and nothing could ensure the completion of the business, but the steadiness of that House, and above all, the firmness of the independent members. The new administration was the work of their hands; it was their duty to give it that support, without which it would be impossible for it to subsist. There was a certain fatality attending human nature, which very often defeated the best purposes; for the greatest virtues were generally accompanied with very great defects; independence and public spirit were attended with indolence and supineness; and those gentlemen who had effected the great change of ministers might lose all the benefits, which might have been expected, by indolence and inactivity; their support should be zealous and unremitting: no administration could exist long without support; and when abandoned by the independent interest, ministers had hitherto resorted to the detestable means of corruption; but in that they were not so much to blame as the independent gentlemen who suffered them to do it. Government could only exist in two ways — by its purity, wisdom, and success, which secured to it the love and support of the virtuous and independent; or it must exist by the means of corruption, which brought to its aid the needy and the profligate; and as government must be supported, the independent men ought to take to themselves blame if they forced a virtuous administration to resort to corruption. He repeated it, therefore, that their support ought to be steady, uniform, and active: and the more so, as the ministers who were retiring, were not going out in consequence of an address of that day; they were not tired of their places, and their sovereign was not tired of them; and therefore the work of the independent

gentleman would be incomplete, if they did not resolve to support their own ministers with zeal and perseverance. The necessity of this advice made him earnest in giving it, and he hoped in God now to see an administration formed not only of independence, but of solid, substantial, and permanent power. He hoped in God that we should now have an opportunity of perceiving how much more beneficial to a country, as well as honourable, a government of virtue was to a government of corruption. How much more likely it was to give us union, action, and zeal at home — to give us eminence and respect abroad. He was convinced that with such a government, we might yet entertain well-founded hopes of raising this country again upon its legs; we might at least procure time to breathe, to collect our strength, to combine our resources into one great and profitable fund, by which we might be able to direct our efforts with success against our enemies. He concluded with warning gentlemen again not to indulge the joy which was but too natural on such a deliverance; not to feast their minds with the idea that all was finished because it was begun. It was a moment for the most serious temper, because there was necessity for the most serious action.

General Conway said he agreed perfectly in every thing said by Mr. Burke excepting one, and that was, what he had said relative to the necessity ministers were under of resorting to corruption for support, when they could no longer get it from the independent members of that House. He hoped he misunderstood the honourable member; for he should be unhappy, indeed, if any thing bordering upon an excuse for corruption, should fall from a gentleman for whom he had an esteem, perhaps superior to any he felt for any man; and he should be still more unhappy at hearing it fall from the lips of a man, who most likely would be one of those ministers to whom the country looked up for its salvation. For his own part, he did not think that resorting to corruption, in any one case, even for the good of the state, could be justifiable; for he held, that if ministers could not carry their measures through by honest means, it was their duty to resign. He protested before heaven, that with all

the detestation which he had for the infamous system which was now abolished; and with all the resentment which he entertained against those wretched ministers who were now discharged; he would rather see that system renewed with those ministers at its head, than that a more insidious, because a more plausible government should be set up under the sanction of names more elevated, upon the same principle. Against such a government there would be no safeguard, the good would be deluded, the base would be employed, and the nation would be ruined.

Mr. BURKE lamented that any thing which had fallen from him should have given his right honourable friend an idea that it was possible for him to countenance corruption even for a moment. He flattered himself, that the whole course of his conduct was a continued proof that he reprobated corruption in every point of view; and that, therefore, he could not mean to become an advocate for it in that House. He had meant no more than this in what he had said, that ministers, not finding sufficient support from the independent interest, resorted for it to corruption; and that in such case ministers were less to blame than those members who suffered them to do it. If he appeared in this to take any blame from ministers, it was only to heap the more on those who, through indolence or inactivity, should withhold their support from measures which they approved. All that he had in view in what he had said was to warn men against the danger of inattention; and to shew them the possibility that in some future moment, it might be imputed to them by ministers that their neglect had forced them to what they otherwise would have rejected — to corruption; and that perhaps a minister might charge them with at least a part of the guilt. He begged it to be remembered, that he had not talked at all as if a system of corruption was likely to be adverted to; what

"Flectere si nequeo superos, Acheronta movebo!"

No! he never meant to say, that if an administration could not govern by virtue and integrity, it ought to resort to

influence and corruption. He never meant to insinuate his approbation of such conduct. He was clearly of another mind; and thought with his right honourable friend, that a minister ought to resign his seat rather than resort to base and unworthy means. He had never supported but one administration in that House, and no member he believed would accuse that administration of governing by corruption. He said his right honourable friend had talked as if he was likely to become a minister. God knew, Mr. Burke said, he had no such views, nor had he a right to have any such. The thing was not within probability; his right honourable friend was himself infinitely more likely to become a minister than he was. He was neither a man who had pretensions to it from rank in the country, or from fortune, nor who aspired to it from ambition. He was not a man so foolishly vain, or so blindly ignorant of his own state and condition, as to indulge for a moment the idea of his becoming a minister: his right honourable friend, whose rank and pretensions naturally pointed to that elevation, had undoubtedly a right to look forward to it; and no man deserved it more. It must give pleasure and joy then to the House, to hear the language which he had just delivered; and the abhorrence which he had expressed of that wicked and ruinous system, which, after a struggle of so many years, they had at last abolished, would be a pledge to the House, that when that right honourable person should become a minister, the House and the nation would have no reason to apprehend that that system would be renewed.

The House, on the motion of Lord North, adjourned to the 23d instant. *

* During the adjournment, a New Administration was formed under the auspices of the Marquis of Rockingham. The new cabinet was thus composed:

First Lord of the Treasury — Marquis of Rockingham.
Principal Secretaries of State (The third Secretaryship abolished) — Earl of Shelburne, Hon. Charles James Fox.

THE KING'S MESSAGE, RECOMMENDING AN EFFECTUAL PLAN OF ECONOMY.

April 15.

THIS day, Mr. Secretary Fox presented the following Message from the King:

" GEORGE R.

" His majesty, taking into consideration the supplies which have been given with so much liberality, and supported with

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Chancellor of the Exchequer — Lord John Cavendish.
First Lord of the Admiralty — Admiral Keppel (created a Viscount).
Lord Privy Seal — Duke of Grafton.
President of the Council — Lord Camden.
Master-General of the Ordnance — Duke of Richmond.
To continue Chancellor — Lord Thurlow.
Commander-in-Chief of the Forces — General Conway.
Chancellor of the Duchy of Lancaster, and created Baron Ashburton — John Dunning, Esq.

Besides the above, which composed the Cabinet, the following arrangements took place:

Lord Chamberlain — Duke of Manchester.
Vice-Chamberlain — Viscount Chewton.
Groom of the Stole — Viscount Weymouth.
Master of the Buck Hounds — Earl of Jersey.
Lord Steward of the Household — Earl of Carlisle.
Lord of the Bedchamber — Lord Rivers.
Treasurer of the Household — Earl of Effingham.
Comptroller of ditto — Earl of Ludlow.
Captain of the Band of Gentlemen Pensioners — Lord de Ferrars.
Lords of the Treasury — Lord Viscount Althorpe, James Grenville, Esq., Frederick Montagu, Esq.
Lord Commissioners of the Admiralty — Sir Robert Harland, Bart., Hugh Pigot, Esq., Lord Duncannon, Hon. John Townshend, C. Brett, Esq., R. Hopkins, Esq.
Under Secretaries of State — Richard Brindsley Sheridan, Esq., Thomas Orde, Esq.

such uncommon firmness and fortitude by his people in the present extensive war, recommends to his faithful Commons the consideration of an effectual plan of economy through all the branches of the public expenditure; towards which important object his majesty has taken into his actual consideration, a reform and regulation in his civil establishment, which he will shortly cause to be laid before this House, desiring their assistance towards carrying the same more fully into execution. His majesty has no reserves with his people; on whose affections he rests with a sure reliance, as the best support of the true honour and dignity of his crown and government; and as they have hitherto been his best resource upon every emergency, so he regards them as the most solid and stable security for an honourable provision for his person and family."

As soon as the message had been read,

Mr. BURKE rose, and in a short and elegant speech, congratulated the House and the kingdom on the happy æra when his majesty, freed from that secret and injurious counsel which stood between him and his people, now spoke to them in the pure and rich benevolence of his own heart. The Message which they had just heard, was the

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Attorney-General — Lloyd Kenyon, Esq.
Solicitor-General — John Lee, Esq.
Secretary at War — Hon. Thomas Townshend.
Treasurer of the Navy — Right Hon. Isaac Barré.
Paymaster-General of the Forces — Edmund Burke, Esq.
Joint Postmaster-General — Earl of Tankerville, Right Hon. H. F. Carteret.
Vice-Admiral of Scotland — Lord William Gordon.
Lieutenant General of the Ordnance — Sir William Howe.
Surveyor General of ditto — Hon. Thomas Pelham.
To command the grand fleet — Lord Howe (created a Viscount).
Created Lord Grantley — Sir Fletcher Norton.
Lord Lieutenant of Ireland — Duke of Portland.
Joint Vice-Treasurers of Ireland — Earl of Scarborough, Sir George Yonge, Bart.
Secretary to the Lord Lieutenant — Colonel Fitzpatrick.
Commander-in-Chief of the Forces in Ireland — Lieutenant-General Burgoyne.

genuine effusion of his majesty's paternal care and tenderness for his subjects. It was what good subjects deserved from a good king, and every man would rejoice in and bless the day when his majesty, restored to the dignified independence of his elevated situation, was able to speak to his people in the language of his own heart; to participate in their sufferings; to praise and reward them for their fortitude. It was the best of messages to the best of people from the best of kings. This was the true style in which a British king should speak to a British people; for by such language and conduct it was, that the blessings of union would be restored among us, and that foreign nations would admire and envy the constitution of a nation where the interests of the king and people were so happily interwoven; and where suffering, as well as enjoyment, was reciprocal. It was by this conduct that a British king would acquire more true splendour, and more substantial power, than by the preservation of places, which added to the dangerous influence, but not to the solid strength of the government. Those establishments and places to which his majesty evidently pointed in his most royal message, were subversive of his true power; for, by the maintenance of these, the service, which was ultimately to support or aggrandize his state, was impoverished. By the taking from the inconvenient and useless offices, they would be able to add to the advantageous and serviceable; and indeed this was the best method of ascertaining and securing an establishment more honourable, and also more firm than any other; for when all other resources have failed, what must be his majesty's best and last resource, but the love, reverence, and support of his people? It was the foundation on which all solid dignity could be built; and it must endear and bind the hearts of the British people to his majesty, to see him thus, with condescending benevolence, and with gracious feeling, giving them all, and more than they would ask. He could not avoid giving joy to his country on the happy æra which seemed now to be rising, when power was to be established

on the basis of economy, and when his majesty wished, chose, and desired to depend upon an independent Commons' House of Parliament, for the support of his person and family. Thus it was to give free exercise to the feelings of the royal breast. Thus it was to open the passage between the bounty of the sovereign and the necessities of the people. He could not help taking to himself some compliment upon this occasion; and rejoicing that he should have been fortunate enough to recommend the very mode of national relief which his majesty now graciously proposed. He had the sincere confidence that now, when the king so generously came forward, and made the proposal to parliament to establish a system of public economy, the House would unanimously agree with him in an address of thanks, and in their assurances that they would cooperate with his majesty in the gracious intention of reducing places that were extravagant and useless. He therefore would move the House,

"That an humble Address be presented to his majesty, to express to his majesty, that his truly paternal regard for the welfare of his people meets a just return in the gratitude produced in the breasts of his faithful Commons, by his majesty's most gracious Message to this House.

"To assure his majesty, that his favourable acceptance of the zeal and fidelity of his subjects, manifested through the whole course of this arduous war, will animate them to the utmost exertions for the glory and happiness of a prince who sets a just value on the services, and is touched with an affectionate sympathy in the sufferings of his people.

"That his faithful Commons, deeply affected with his majesty's noble and generous procedure, and encouraged by a recommendation at once glorious to his majesty, and perfectly consonant to our desires and duties, will, as soon as his majesty shall be pleased to communicate more particularly the reformations and regulations he is pleased to adopt, apply ourselves with all speed and diligence, to give a full effect to his majesty's most gracious intentions.

"That his faithful Commons consider the unreserved

confidence which his majesty reposes in this House, as a full compensation for their earnest and dutiful endeavours to deserve that invaluable testimony of his royal favour, a confidence by which his majesty will reign in the hearts of his people, and in which he never can be deceived with regard to his crown, his person, and his family: a king of Great Britain cannot have so perfect or so honourable a security for every thing which can make a king truly great and truly happy, as in the genuine and natural support of an uninfluenced and independent House of Commons."

The Address was seconded by Mr. Powys, supported by Mr. Secretary Fox, and agreed to *nem. con.*

CONTRACTORS' BILL.

April 12.

THE House being this day in a committee on the bill "for restraining any person, being a member of the House of Commons, from being concerned himself, or any person in trust for him, in any contract made by the commissioners of his majesty's treasury, the commissioners of the navy, the board of ordnance, or by any other person or persons for the public service, unless the said contract shall be made at a public bidding," Lord Nugent opposed the clause by which contractors, being members of that House, should be incapacitated from sitting and voting in it, after the end of the present session of parliament. He said, that popularity was a thing that men in general ran after, and when well earned, was, no doubt, a most agreeable thing, but popularity sometimes attended measures which the people at large did not really approve; the temperate, calm, and steady voice of the people, resulting from judgment, was truly the voice of God; but the voice of people groaning under the weight of taxes, and speaking under the burthen, was not the voice of God or of the people; it was

the voice of faction; the voice of the day. Such popularity was not worth courting. His lordship concluded by moving this amendment, that instead of the words, "shall be disqualified from sitting or voting in parliament from the end of the present session," the clause should run thus, "from the end of the present parliament."

Mr. BURKE opposed the amendment. The noble lord, he said, had distinguished two kinds of voices in the nation; the one cool and temperate, resulting from judgment; the other from a sense of their distresses: the former might be heard from parliament, from judges and magistrates; but from the bulk of the nation it never had been heard; the people never spoke till they felt; it was pinching distress that always opened their mouths; and to a voice so extorted, a wise administration would always listen, as to the voice of God. As to the injustice supposed by the noble lord to be done to the disqualified individuals, it did not appear to him; for they had an option either to retain their political rights, and sit in parliament; or their professional and commercial rights by pursuing their trade, and supplying government as usual: but if it could be called injustice to them, it was strict justice to the public, for parliament to separate two sorts of rights, when they were found to be incompatible: this appeared to be nearly the case at present; for it was believed by many, that a good member of parliament could not be a contractor. This being stated, he would inform the House, that they were treading in the footsteps of their ancestors, whose uniform and invariable rule it was to disqualify persons from sitting in that House, who were in such a predicament that they could not be supposed to be otherwise than under improper influence. He then desired that the clerk might read clauses of three acts passed, two in the 5th of William and Mary, and one in the 11th and 12th of William.

The amendment was rejected without a division.

Mr. Burke's Bill of Reform in the Civil List Expenditure.

June 14.

ON the 13th of June, Mr. Ord reported from the committee of the whole House, to whom it was referred to consider of a proper method for enabling his majesty to discharge the debt contracted upon his civil list revenues, the following resolution: "That his majesty be enabled to raise the sum of 300,000*l.* to pay off and discharge the debts due and owing on the civil list on the 5th of April 1782; and that the said sum be charged upon such part of the duties and revenues of the fund commonly called the aggregate fund, as were made applicable to the payment of the sums of 800,000*l.* and 100,000*l.* respectively granted by two acts made in the 1st and 17th of his present majesty; and after the demise of his majesty, to be charged upon the hereditary revenues of the crown." The resolution was agreed to. After which, Mr. Burke presented to the House, a bill "for enabling his majesty to discharge the debt contracted upon his civil list revenues, and for preventing the same from being in arrear for the future, by regulating the mode of payments out of the said revenues, and by suppressing or regulating certain offices therein mentioned, which are now paid out of the revenues of the civil list:" and the same was received and read the first time. On the following day, the bill being read a second time,

Mr. Burke took occasion to account for the difference that was to be found between the present bill and that which he had brought in two years ago. In the present bill he had not introduced any regulation for having the king's household supplied by contract; for he found that out of the House, and in the House, this was a measure which few or none seemed to relish; and, therefore, seeing clearly that he never should be able to carry it, he had, though reluctantly, given it up. The regulations relative to the principality of Wales, which had been the object of

a bill brought in by him two years ago, were now given up by him, at least for the present he would postpone them; for though he believed that they would be productive of great national utility, still he would not press them now, as they did not appear agreeable to the people of Wales: he did not despair, however, but that they would one time or other appear in a different light to them, as they did to him; when that period should arrive, he would with pleasure bring in the bill. The retrenchment in the Ordnance department he postponed also, if not totally renounced, because that department was now filled by a nobleman, whose regard for the public, and whose frugality in laying out their money, would render any regulation in the Ordnance completely unnecessary. The Mint was another office which he intended formerly to reform; but at present, he would postpone any regulation on that head, because he found a very great backwardness in the Bank, to which it was his intention to transfer the business of the Mint, to undertake it. In the Household there were two offices which his former bill went to abolish, but which he did not mean now to meddle with; these were the offices of treasurer and cofferer; the officers who filled them carried white wands; and as abolishing them might appear an encroachment upon what added both to the splendour and dignity of the crown, he had no objection to suffer them to remain. The Pay-office, which he himself filled, stood greatly in need of reformation: he did not blame those who in the same office had availed themselves of the balances lying in their hands, which they had made to fructify to their own benefit; but it should be his care not to have any balances to lie in his own hands, or in the Bank. He had already begun the reform in his office; and having made up his accounts to the 3d of June, he found that there was in his hands a balance of no more than 4,014*l.* 10*s.*; this he should take care constantly to carry over to the current account, and of course he would draw upon the exchequer, in the next month's account, for 4,014*l.* 10*s.* less than for the last month: so that, in fact, there would be no

more balances in the hands of paymasters. This the House would acknowledge would be a great saving to the nation, when he should inform them, that formerly there used to be from 700,000*l.* to one million constantly in the hands of the paymaster-general. This business he intended to bring before parliament early in the next session. A commission of public accounts was an object of his former bill; but that business having been since taken up, and most ably executed by the commissioners, it formed no part of his present plan. For all the advantages that would arise to the nation from the different reformations that might be established, he assumed no merit to himself; all thanks, all gratitude, were due to the gracious sovereign, who had so nobly recommended economy and retrenchment to the House, beginning, as he did, in his own household.

June 20.

On the motion for going into a committee on the bill, Mr. Powys said, that after the most gracious message from the most gracious of sovereigns, "that he would have no reserve with his people," he had reason to expect the best consequences to the public, and he did not doubt but his majesty's ministers would do their duty; he would say, however, that if after the king had disclaimed all reserve, he should find any with his ministers, he should himself be truly astonished: the bill which was now going into a committee, was certainly short of what it had been two years ago; however, confined as it was, he was thankful for it, in hopes, that in the next session, those objects contained in the former bill, would be attended to.

Mr. Burke replied, that as far as it depended upon him, he was ready to pledge himself to bring forward the objects alluded to by his honourable friend; but he certainly would not bring them forward, unless he found that he should have with him the sense of the people; for he would not undertake any thing for the good of the people, which they themselves should not think to be for their own advantage.

The reform which he once intended to have made in the principality of Wales, he found was extremely unpopular in Wales; for care had been taken to poison the minds of the Welsh, and to fill them with an idea, that the intended reform was in reality meant as an attack upon the principality: the Welsh were full of this idea; and so long as they were prepossessed with it, he would not force his reform upon them against their will; he would wait till time and better information should have wrought a change in their opinion. He was influenced by exactly the same motives, in withholding his bills relative to the duchies of Lancaster and Cornwall; and if he should find the people of those duchies inclined to receive his reform, he would not be wanting to bring forward his bills; but as it would require much labour and expence, much information, and many instruments in order to digest such a system as it would be proper to adopt in so arduous and complicated a business, he would not pledge himself to be able to bring in his bills very early in the next session: in the present he would content himself with the bill then before the House, and another for reforming his own office, which he would bring in a day or two.

The House then went into the committee. The bill was afterwards reported, and passed the Commons without further debate. On the 26th of June, Mr. Burke presented his bill "for the better regulation of the office of pay-master-general of his majesty's forces;" which was read twice for the greater dispatch. Mr. Ewer said, that he should probably be obliged to make some opposition to the bill, as it went, in some measure, to compel the bank to receive that money which used to lie at the pay-office. Mr. Burke replied, that if the bank did not like to be troubled with the money, they were, no doubt, at liberty to object to the bill; and, if their opposition should be successful this session, he made no doubt, but, by the next, he should be able to find other persons, who would give as unexceptionable security as the bank for the public money.

On the 28th, the House went into a committee on the bill, and it was agreed that the blank for the day on which it was to

commence, should be filled up with the words, "1st of January next."

Mr. BURKE stated one particular saving that would accrue to the public by the regulations of this bill. The paymaster of the forces might, in his capacity of treasurer of Chelsea-hospital, be deemed virtually a colonel, in one respect at least, for he enjoyed the profits arising from the contract for clothing the pensioners belonging to that hospital. His predecessor had enjoyed a profit of 700*l.* arising from this contract; and yet, to do his predecessor justice, he had not made a bad bargain for the public: but since he (Mr. Burke) had come into the office, he had made a new contract, upon much harder terms for the contractor; but as the contractor was not a member of parliament, but the person who was himself to furnish the clothing, he was able to live by the contract, and yet the public would gain 600*l.* more upon it than Mr. Rigby had gained; so that in fact, both sums added together, there would be a saving upon the contract of 1,300*l.*, which saving, instead of appropriating to his own use, he would bring forward for the use of the public, to make part of the ways and means towards raising the supply.

The committee went through the bill, which passed the Commons on the 2d of July.

DEATH OF THE MARQUIS OF ROCKINGHAM — CHANGE OF MINISTRY.

July 9.

WHILST parliament was successfully engaged in prosecuting the most effectual measures for the security of its own independence, for healing the breaches of the constitution, and

relieving the burthens of the people, a heavy calamity was approaching, which again darkened the prospect that had so happily opened to the nation. This was the loss of the Marquis of Rockingham; whose health had been for some time gradually declining, and at length sunk under the increasing weight of public cares and business. The first step taken by the court after his death, which happened on the 1st of July, was the appointment of the Earl of Shelburne to be his successor in the treasury. Lord John Cavendish and Mr. Fox soon afterwards resigned their offices, and were followed by the Duke of Portland; by Mr. Montagu and Lord Althorpe, from the board of treasury; by Lord Duncannon and Mr. J. Townshend from the admiralty; by Mr. Burke, and by Mr. Lee the solicitor-general. Mr. William Pitt was made chancellor of the exchequer; Mr. T. Townshend and Lord Grantham, secretaries of state; Mr. Pepper Arden succeeded Mr. Lee; the lord advocate of Scotland succeeded Mr. Barré, who was removed to the pay-office; and Earl Temple was appointed to the lord-lieutenantcy of Ireland. The secession of such a weight of talents and integrity from the service of government, could not be regarded with indifference. The motives which were supposed to have actuated them, were variously represented; and some insinuations being thrown out, highly injurious to the public character of the persons cencerned, the first opportunity was taken of bringing the subject to an open discussion in the House of Commons. Accordingly, on the 9th of July, a debate having arisen on a motion made by Mr. Coke, relative to the pension of 3000l. a-year granted to Colonel Barré, the divisions that had prevailed amongst his majesty's servants were strongly retorted on those who had formed the last, by Mr. Bamber Gascoyne, a member of the old administration; and this discord was alleged to be the more culpable at present, on account of the very critical and alarming situation of affairs. Upon this occasion, Mr. Fox entered into a most able justification of the part he had taken. After he had been replied to by General Conway,

Mr. BURKE rose, and supported Mr. Fox. On his rising there was an uncommon confusion at the bar. He directed his eye to that quarter, and with considerable emotion said, he was peculiarly circumstanced from the delicacy which he entertained for one part of the House, while he felt

nothing but the most sovereign contempt for the other. This to him appeared an hour, though a late one, of the greatest consequence. He was called on by a variety of circumstances to vindicate his character and principles to the public. Those who, by the present unaccountable tumult, seemed dissatisfied with his private character, knew where to find him. But he was not to be intimidated by these little unmanly and dirty artifices, from coming forward and accounting, with much simplicity and truth, for his short stewardship, to that public, whose servant he had ever been. About the question relating to the pension meant for an honourable gentleman, he had but little to say. With respect to this particular pensioner, he knew that the noble marquis thought himself bound for it, as he had, in the year 1766, left out the honourable colonel by mistake, from a list of promotions. Among all the encomiums made on the character of the noble marquis lately deceased, this was one, that he left his dearest and best friends with the simple reward of his own invaluable intimacy. This singular test of their sincerity he asked while alive, and it was a tax he left on their regard for his memory when dead. He, for his own part, had not been without his share of the one, and he would soon convince the world, he was not unequal to the other. Well might he be excused for mingling his tears with those of all descriptions and ranks of men, for the irreparable loss of this most excellent and most virtuous character!

He was gone, he said, to that tribunal, where we all must go and render an account of our transactions; and he trusted, that no soul ever went with a greater certainty of its actions being approved. On the late change of ministry, the people, he said, looked up to the Marquis of Rockingham as the only person to be at the head of affairs, as the clearness of his head, and the purity of his heart, made him universally beloved. It was to him that the public looked for every thing: they knew government was safe in his hands, as he would not lend his name to any thing that was detrimental to his country. But as fate had

so ordained it, as to take that great and virtuous statesman from us, the first step his majesty's ministers should have done, was to seek out some person the most like him in sentiment and integrity; but, unfortunately for the country, it had turned out just the reverse; they had pitched on a man, of all others the most unlike to him. It was proposed, he said, to have appointed the Duke of Portland in the room of the noble marquis, as he was a person whose abilities and integrity had gained him the love of the people here, and the esteem and veneration of the people of Ireland. He was the person whose great talents and connections would have given weight to his majesty's councils, and been a means of bringing about that object so much wished for, a general, lasting, and honourable peace; but from the turn things had taken, he was fearful that all the good that had been effected by displacing the late ministry, who so nigh wrought the ruin of their country, would be frustrated; and if it should cause a twenty years' siege, as his right honourable friend had talked of, to displace these men, he was of opinion that few persons would have courage to undertake it. The noble marquis, he said, had uniformly, through life, entertained one opinion; but that was not the case with the noble earl that was to succeed him. He was a man that he could by no means confide in, and he called heaven and earth to witness, so help him God! that he verily believed the present ministry would be fifty times worse than that of the noble lord, who lately had been reprobated and removed.

He begged leave to make a few remarks upon what he could not help considering as very extraordinary doctrine, which a right honourable general had been pleased to lay down under the idea of candour: and I hope, said Mr. Burke, they will not be considered to be impertinent, as it seems to glance at impropriety, or (if the House pleases) a want of candour in me and in my friends. Candour, if I understand the true meaning of the word, is an impartial view of whatever the mind contemplates: let us apply this definition to the right honourable general's apology for his

conduct. He tells you, that he has seen nothing improper in the demeanour of Lord Shelburne under the Rockingham administration; he will therefore try him as a premier. Is this an impartial view? No, no — surely it is not. To be candid, we must take to mind the whole of that nobleman's politics ever since he has affected to be a statesman. In the late premiership he was controuled. In former administrations, when he could indulge his opinions, he did indulge them; and now that he is minister, he will give scope to them with a vengeance!

He trusted some credit would be given him on the present occasion. His domestic sensibility had never been doubted. He had a pretty large family, and but little fortune. He liked his present office. The house, and all its appendages, to a man of his taste, could not be disagreeable. All this he relinquished not, the House might well conceive, without regret; for the welfare of his family was very dear to him. No man could conceive him capable, in such circumstances as his certainly were, of sacrificing all this and 4,000*l.* per annum for nothing. No; he did it all for that country and that public whose property he was, and to whom he was always ready to surrender whatever he most valued in life. He had been long surfeited with opposition. Those who were familiar with his habits of living, with his manners and temper, would not call him petulant or factious. What, then, could induce him to leave an administration, to the formation of which his humble endeavours had somewhat contributed? Nothing, he protested, but the sincerest regard for a public, in the service of which he wished to live and die. He was not satisfied, because his heart would not let him confide where his duty and situation made it necessary that he should. The right honourable general's feelings were in this respect exceedingly convenient. He took every man by his looks; this might be very good-natured, but it was not very wise. He had read when young, of a wolf which was mistook by a simple shepherdess, because dressed like her grand-mother, for one quite as gentle and tame as she was. But the first op-

portunity undeceived the poor girl. Take care, said Mr. Burke, that none of you render yourselves obnoxious to a similar ridicule. But, perhaps his worthy friend might despise this lesson, because it was drawn from a little book. He would therefore touch upon an idea borrowed from a book of more authority. He would ask the right honourable gentleman, whether if he had lived in the time of the immortal Cicero, he would have taken Cataline upon trial, for his colleague in the consulship, after he had heard his guilt so clearly demonstrated by that great orator? Would he be co-partner with Borgia in his schemes, after he had read of his accursed principles in Machiavel? He could answer for him — he knew he would not. Why, then, did he adhere to the present man? He meant no offence, but he would speak an honest mind. If Lord Shelburne was not a Cataline, or a Borgia, in morals, it must not be ascribed to any thing but his understanding.

After much conversation, Mr. Coke consented to withdraw his motion. *

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* The following is a list of the Shelburne administration:

First Lord of the Treasury — Earl of Shelburne.
Chancellor of the Exchequer — Hon. William Pitt.
Principal Secretaries of State — Lord Grantham, Thos. Townshend, Esq.
Lord Chancellor — Lord Thurlow.
First Lord of the Admiralty — Lord Keppel.
President of the Council — Lord Gamden.
Lord Privy Seal — Duke of Grafton.
Master-General of the Ordnance — Duke of Richmond.
Chancellor of the Duchy of Lancaster — Lord Ashburton.
Secretary at War — Sir George Yonge.
Treasurer of the Navy — Henry Dundas, Esq. (afterwards Lord Melville).
Paymaster of the Forces — Colonel Barré.
Attorney-General — Lloyd Kenyon, Esq. (afterwards Lord Kenyon).
Solicitor-General — John Lee, Esq.
Lord Lieutenant of Ireland — Earl Temple.
Secretary to ditto — Hon. William Wyndham Grenville (afterwards Lord Grenville).

Address on the King's Speech at the Opening of the Session.

December 5.

THIS day the session was opened with the following Speech from the throne:

"My Lords and Gentlemen; since the close of the last session, I have employed my whole time in that care and attention which the important and critical conjuncture of public affairs required of me.—I lost no time in giving the necessary orders to prohibit the further prosecution of offensive war upon the continent of North America. Adopting, as my inclination will always lead me to do, with decision and effect, whatever I collect to be the sense of my parliament and my people; I have pointed all my views and measures, as well in Europe as North America, to an entire and cordial reconciliation with those colonies.

"Finding it indispensable to the attainment of this object, I did not hesitate to go the full length of the powers vested in me, and offered to declare them free and independent states, by an article to be inserted in the treaty of peace. Provisional articles are agreed upon, to take effect whenever terms of peace shall be finally settled with the court of France.

"In thus admitting their separation from the crown of these kingdoms, I have sacrificed every consideration of my own, to the wishes and opinion of my people. I make it my humble and earnest prayer to Almighty God, that Great Britain may not feel the evils which might result from so great a dismemberment of the empire; and, that America may be free from those calamities, which have formerly proved in the mother country how essential monarchy is to the enjoyment of constitutional liberty. Religion—language—interest—affections may, and I hope will yet prove a bond of permanent union between the two countries: to this end, neither attention nor disposition, on my part, shall be wanting.

"While I have carefully abstained from all offensive operations in America, I have directed my whole force by land and sea against the other powers at war, with as much vigour as the situation of that force, at the commencement of the cam-

paign, would permit. I trust that you feel the advantages resulting from the safety of the great branches of our trade. You must have seen with pride and satisfaction the gallant defence of the governor and garrison of Gibraltar; and my fleet, after having effected the object of their destination, offering battle to the combined force of France and Spain on their own coasts; those of my kingdoms have remained at the same time perfectly secure, and your domestic tranquillity uninterrupted. This respectable state, under the blessing of God, I attribute to the entire confidence which subsists between me and my people, and to the readiness which has been shewn by my subjects in my city of London, and in other parts of my kingdoms, to stand forth in the general defence. Some proofs have lately been given of public spirit in private men, which would do honour to any age, and any country.

"Having manifested to the whole world, by the most lasting examples, the signal spirit and bravery of my people, I conceived it a moment not unbecoming my dignity, and thought it a regard due to the lives and fortunes of such brave and gallant subjects, to shew myself ready on my part to embrace fair and honourable terms of accommodation with all the powers at war.

"I have the satisfaction to acquaint you, that negociations to this effect are considerably advanced; the result of which, as soon as they are brought to a conclusion, shall be immediately communicated to you.

"I have every reason to hope and believe, that I shall have it in my power, in a very short time, to acquaint you, that they have ended in terms of pacification, which I trust you will see just cause to approve. I rely, however, with perfect confidence in the wisdom of my parliament and the spirit of my people, that, if any unforeseen change in the dispositions of the belligerent powers should frustrate my confident expectations, they will approve of the preparations I have thought it advisable to make, and be ready to second the most vigorous efforts in the farther prosecution of the war.

"Gentlemen of the House of Commons; I have endeavoured, by every measure in my power, to diminish the burthens of my people. I lost no time in taking the most decided measures for introducing a better economy into the expenditure of the army.

"I have carried into strict execution the several reductions in my civil list expences, directed by an act of the last session. I have introduced a further reform into other depart-

ments, and suppressed several sinecure places in them. I have by this means so regulated my establishments, that my expence shall not in future exceed my income.

"I have ordered the estimate of the civil list debt, laid before you last session, to be completed. The debt proving somewhat greater than could be then correctly stated, and the proposed reduction not immediately taking place, I trust you will provide for the deficiency; securing, as before, the re-payment out of my annual income.

"I have ordered inquiry to be made into the application of the sum voted in support of the American sufferers; and I trust that you will agree with me, that a due and generous attention ought to be shewn towards those who have relinquished their properties or professions from motives of loyalty to me, or attachment to the mother country.

"As it may be necessary to give stability to some regulations by act of parliament, I have ordered accounts of the several establishments, incidental expences, fees, and other emoluments of office, to be laid before you. Regulations have already taken place in some, which it is my intention to extend to all; and which, besides expediting all business, must produce a very considerable saving, without taking from that ample encouragement, which ought to be held forth to talents, diligence, and integrity, wherever they are to be found.

"I have directed an inquiry to be made into whatever regards the landed revenue of my crown, as well as the management of my woods and forests, that both may be made as beneficial as possible, and that the latter may furnish a certain resource for supplying the navy, our great national bulwark, with its first material.

"I have directed an investigation into the department of the mint, that the purity of the coin, of so much importance to commerce, may be always adhered to; that by rendering the difficulty of counterfeiting greater, the lives of numbers may be saved, and every needless expence in it suppressed.

"I must recommend to you an immediate attention to the great objects of the public receipts and expenditure; and above all, to the state of the public debt. Notwithstanding the great increase of it during the war, it is to be hoped, that such regulations may still be established — such savings made — and future loans so conducted, as to promote the means of its gradual redemption, by a fixed course of payment. — I must, with particular earnestness, distinguish, for your serious considera-

tion, that part of the debt which consists of navy, ordnance, and victualling bills: the enormous discount upon some of these bills shews this mode of payment to be a most ruinous expedient.

"I have ordered the several estimates, made up as correctly as the present practice would admit, to be laid before you. I hope that such further corrections, as may be necessary, will be made before the next year. It is my desire, that you should be apprized of every expence before it is incurred, as far as the nature of each service can possibly admit. Matters of account can never be made too public.

"My Lords and Gentlemen; the scarcity and consequent high price of corn requires your instant interposition.

"The great excess, to which the crimes of theft and robbery have arisen, in many instances accompanied with personal violence, particularly in the neighbourhood of this metropolis, has called of late for a strict and severe execution of the laws. It were much to be wished that these crimes could be prevented in their infancy, by correcting the vices become prevalent in a most alarming degree.

"The liberal principles adopted by you concerning the rights and the commerce of Ireland, have done you the highest honour, and will, I trust, increase that harmony which ought always to subsist between the two kingdoms. I am persuaded that a general increase of commerce throughout the empire will prove the wisdom of your measures with regard to that object. I would recommend to you a revision of our whole trading system, upon the same comprehensive principles, with a view to its utmost possible extension.

"The regulation of a vast territory in Asia opens a large field for your wisdom, prudence, and foresight. I trust that you will be able to frame some fundamental laws, which may make their connection with Great Britain a blessing to India: and that you will take therein proper measures to give all foreign nations, in matters of foreign commerce, an entire and perfect confidence in the probity, punctuality, and good order of our government. You may be assured, that whatever depends upon me shall be executed with a steadiness which can alone preserve that part of my dominions, or the commerce which arises from it.

"It is the fixed object of my heart to make the general good, and the true spirit of the constitution, the invariable rule of my conduct, and on all occasions to advance and reward merit in every profession.

"To ensure the full advantage of a government conducted on such principles, depends on your temper, your wisdom, your disinterestedness, collectively and individually.

"My people expect these qualifications of you; and I call for them."

An Address of Thanks in answer to the above Speech having been moved by Mr. Yorke and seconded by Mr. Bankes, a debate ensued, in the course of which,

Mr. BURKE rose. He said, he did not mean to propose any amendment to the Address, although he was not over and above pleased with the Speech. The chancellor of the exchequer had lamented many things, which he said to be calamitous in his situation, and among other things, very much to his astonishment, he had lamented his youth. He could not see the necessity for such lamentations, as he very sincerely believed the nation would have little cause to join in them on that score, and he wished to heaven they could confide as fully and implicitly in the honour of other members of the administration, as they could in that of the young chancellor of the exchequer. Mr. Burke then, in a very animated style, charged the Speech from the throne with a species of delusion and insinuation, which he conceived to be of a very dangerous nature. His majesty was made to say, that he had sacrificed his own considerations, not to the necessity of the case, but to the advice of his parliament, and by this means the whole of the consequences which were said to be apprehended from their want of monarchy, were flung in the teeth of parliament. This he conceived to be an instance of the duplicity of the minister, extremely consistent with the general tenor of his conduct. There was something in this neither manly nor generous. It was a little, low, left-handed policy which the Americans would despise, and which no nation would respect. It was making his majesty do that with sheepishness which he might have done with grace. It was, in fact, to make him say, that he did it against wisdom, against good sense, against necessity, against policy, in constrained obedience to the advice of an ill-judging House

of Commons. Such was the language which ministers had put into the mouth of their sovereign; and such was the respect which they had paid to that House! The calamities of the war were not taken into the account: the circumstances of the country; the impossibility of acting otherwise were all overlooked; and it was charged upon that House alone. Oh, the mean, short-sighted wisdom of such a mode of proceeding! How must surrounding nations feel, when they see the king of Great Britain made to speak in such a strain! Instead of coming forward with dignity, and yielding to the necessity which the madness of former ministers had imposed, he was taught to whine, and ascribe to a resolution of the House of Commons what was clearly the hand of Providence, in a severe punishment of our conduct. Then he was made to fall upon his knees to deprecate the wrath of heaven, and pray that this misguided people may not suffer the consequences of the want of monarchy. Monarchy was made the subject of his majesty's most earnest prayers; and this people, who never were designed by heaven for monarchy — who were in their natures adverse to monarchy — who never had any other than the smell of monarchy, at the distance of three thousand miles — were now to be guarded by the prayers of the king of Great Britain, from the consequences of that loss, which, through a resolution of the House of Commons, they had incurred! He dwelt on this idea with great energy, and argued, that it would have been wise and proper, to have talked in such a moment, not in a whimpering style of affected and unmeaning piety — for nothing could be so unmeaning, as prayers of such a nature — but in a generous and manly style, by which the American people would have been led to believe that we were really cured of our follies, and were brought at last to think and act like men.

He adverted particularly to the observations which had been made on the concessions as the price of peace. He said, he detested generalities. There was no arguing from propositions that had no latitude; and, therefore, the language of the honourable gentleman who seconded the mo-

tion, whatever good purpose it might answer, in feeling the pulse of the House, could hardly be brought to the test of argument and examination. With respect to Gibraltar, which he had particularly hinted at, he hoped the arguments which had been so powerfully urged would shew ministers that they must not dare to sport with the feelings of the nation, in regard to an object so justly dear to them. The fortress of Gibraltar was invaluable, because impregnable. No other post which the Spaniards could give us had that recommendation; and as a post of war, a post of power, a post of commerce, a post which made us valuable to our friends and dreadful to our enemies; that which gave us the command in the district of ocean where it lay; that which was the incontestible evidence of our pre-eminence and power; that of all other places was what we ought with the most religious determination to maintain. He averred, that the king of Spain had not an appendage to his crown, which he could give, equal to Gibraltar. The capitals of Peru and Mexico were out of the question. An unclothed territory could not be equal to this rock. If they were to offer, as he had no doubt but they would, the island of Porto Rico for it, it was not an adequate compensation; and he warned men against being cheated by the idea of an extensive, rich, and profitable territory being given in exchange for a bare rock. Porto Rico was in every sense of the word an unclothed territory. All the wealth of Spain had not been equal to its cultivation; and we had a sufficient evidence in our own islands of the difficulty and expence of cultivating a territory. The Grenadas, though their value had been so much and so widely extolled on their acquisition, were not yet more than one half clothed, and they had not paid the expence they had incurred. But besides this material circumstance, the great and solid advantage of Gibraltar was, that it gave us an indisputable command in a *most* important sea; by which the nations of Europe would covet our assistance, for which they would become our allies, and by which we might be able to render the family compact a delusive and an useless

thing. Such were the advantages to be obtained from the fortress of Gibraltar; and therefore it was something more than what the honourable gentleman had called it — a post of pride, or a post of honour; it was a post of power; a post of superiority; a post of connection; and a post of commerce.

With regard to the manner in which the ministers had, in the course of this summer, proceeded to carry into effect the plan of reform which he had the honour to propose to that House, and which had been carried into law, he disclaimed all pretensions to any share of the merit of it. Their manner was entirely their own; and he would take upon him to say, that it was as mean and inhuman, as that which he had pursued was public and generous. He had aimed only at the destruction of parliamentary influence, and of sinecures for parliamentary men; but they had aimed their blows at poor inferior officers of twenty, thirty, and forty pounds a year, which was all their dependence and support, after a life of service, for themselves and their families. He meant to disturb no individual in his possession; his economy was gentle as well as systematic, and was calculated for permanency as well as use. Mr. Burke concluded with saying, that though he by no means approved of many parts of the Speech, and thought it on the whole a collection of unmeaning professions and of undeserved self-praises, yet he would not disturb the union of the day, by proposing any amendment; but would content himself with declaring, that he thanked his majesty for having concluded a provisional agreement, by which we had at last got rid of the American war, reserving to himself at the same time his freedom to disapprove of that provisional agreement, if he should think it faulty.

On the following day, when the report of the Address was brought up,

Mr. Burke again rose, and called the attention of the House to a most ingenious and forcible commentary on the

Speech of the king's ministers, as delivered from the throne. He confessed that he had his suspicions; that he had from the beginning entertained his doubts; and they had been rendered stronger by what had been said in another place. He saw that the language of the Speech was guarded with the most insidious perplexity of expression, and that it contained words which might be construed to mean either an absolute, unconditional renunciation of dependence, or a conditional temporary offer of independence, to be revoked in certain circumstances. He had mentioned his doubts the day before, and he repeated them now. With respect to the chancellor of the exchequer, he had a high opinion of his character and integrity; and if he were to trust to the words of men, his explanation would be to him full and sufficient. But the Speech spoke a language so strange and contradictory, so full of ridiculous and absurd professions, along with such an incredible number of promises and boasts, that he declared, if he might be permitted to speak of it as it deserved, he should call it a farrago of hypocrisies and nonsense. If he might be allowed to apply to it the words of Hudibras, he should say, that the minister had made the king speak

> "As if hypocrisy and nonsense
> "Had got the advowson of his conscience."

Here Mr. Burke indulged himself with a free commentary on the text of the Speech, taking the several passages in succession. He did this in a vein of wit, argument, and satire, so finely blended and so strongly carried on, that the House was kept in a burst of laughter the whole time. He animadverted again on the artful manner in which ministers had taken care to throw upon parliament the whole of the measure of the recognition of the independence of America. His majesty had done this thing, not because it was wise, not because it was proper, not because it was necessary; but because the parliament had advised it, and in the spirit of most unseasonable piety,

and most unwise, because insincere, devotion; he was made to fall upon his knees to deprecate the consequences likely to result to America from the want of monarchy. Mr. Burke reprobated all this because it was unwise, and because it must produce a ridiculous effect among all sensible and thinking nations. He had heard of a form of prayer in churches, but this was the first form of prayer he had ever met with in a king's Speech. It was, he declared, nothing more than a piece of hypocritical cant played off at the expence of parliament. That the independence of America was recognized unconditionally in the provisional articles, was a fact, which the words of the minister's Speech by no construction of grammar, by no fair meaning of phrase, could, he asserted, be proved to communicate. As therefore it was known that in another place a very different sense of the manner in which the independence of America had been recognised in the provisional articles, had been declared by one of his majesty's servants, and as it was known that there were such things as divisions in cabinets, and that those ministers who could be brought to say one and the same thing in one particular place, spoke of it very differently elsewhere, that House was warranted in entertaining suspicions of duplicity and delusion in the present very important matter. If the whole of the doubt rested on the word of the right honourable gentleman at the head of the exchequer, — of whose virtue, integrity, and honour, he entertained the highest opinion, — his mind would be perfectly satisfied with the declaration that right honourable gentleman had just made; but circumstanced as the doubt was, considering by whom the Speech was penned, (for he would venture to say it was not penned by his right honourable young friend,) there was every reason in the world for that House to observe to what they pledged their support; more especially where the whole blame of the consequence was directly laid at the door of parliament.

Having said this, Mr. Burke proceeded to comment on the Speech, and read that passage in which his majesty

declares he had sacrificed every consideration of his own to the wishes of his people. He dwelt for some time on the word consideration, and asked what the minister meant, by making his majesty declare, he had considerations separate from the wishes of his people? Such an idea was, he said, equally new, unconstitutional, and improper. He next proceeded to the part in which his majesty was made to rejoice in the extraordinary readiness, and public spirit shewn by his subjects; and particularly by the people of the good city of London. Upon this Mr. Burke contended, that it was all a piece of delusion; that one honourable baronet had, like the phœnix that was seen but once in a century, many a most liberal offer *, and that offer was here insinuated to be many with a view to make more people tender voluntary gifts. In fact, the offer of the honourable baronet was the only one thing that had been done; for as to the offer made by the county of Suffolk, it was so cautiously guarded that there was not any prospect of their ship: it was not to be built until twelve other counties — a jury of counties — should do the same. Ministers acted in the manner of certain religious houses, who appointed thanksgivings, and poured their blessings on the people; particularly when they failed to bestow on them their usual gifts, that they might remind them of their duty, and shew them into what grateful hands they would pour their wealth. In order to prove the position he had laid down, he asked which of the subjects in the city of London had offered to build ships for government? The nation that could raise millions, was to go about to beg charity from individuals; and from this charity, the navy of England was to be restored. Wretched politicians! they were like the man who held a farthing candle to the sun, or like him who spit into the ocean, to increase its waters. Benevolences in former ages were indeed of a different nature. In Queen Elizabeth's reign, the whole

* Sir James Lowther, who had in the course of the summer made a present of a seventy-four gun ship to government.

navy of England did not cost the nation, annually, more than the trifling sum of 40,000*l.* The public revenue did not exceed 300,000*l.* So that in that time, when the revenue was low, and individuals rich, because not loaded with taxes, it was not improper to apply to wealthy individuals, who could easily fit out a parcel of such men of war as were used in those days; but which could not compare with our smallest frigates at present. He was the more surprised at finding benevolences so praised in a Speech, which he was justified in looking upon as the production of a cabinet, in which sat a learned lord*, who, while he was a commoner, had moved to resolve that such benevolences were illegal.

"Men of all professions were to be rewarded." This he took to be a bait, particularly for such gentlemen in that House as wore black gowns; it was directly fishing for black gowns; they might see a proof of it, in that one of their corps had been raised to a peerage, and complimented with a pension of 4000*l.* per annum: another — the lord advocate — a very able man indeed, had been put into a very comfortable office: the two last solicitors general remained still unrewarded; but they and others might take a hint from this, how they might obtain proper rewards.

"It is the first object of my heart to make the general good, and the true spirit of the constitution, the invariable rule of my conduct." O! the noble discovery! O wise ministers! *Dii tibi tonsorem donent*, to all except one who has no occasion for one! What necessity could there have been for professing that they would do that, which if they had omitted to do, they would have exposed themselves to the most heavy punishment? The Speech, from beginning to end, was full of the most unmeaning self-applauses that ever he met with.

"It is the first object of my heart to make the general good the invariable rule of my conduct." What an ad-

* Lord Ashburton.

mirable piece of egotism! There was a bad taste in this writing; it had neither chastity nor propriety of style. His majesty's ministers come gravely forth, and inform parliament, that they are determined to do that, which, if they did not do, they would be impeached. He professed he was at a loss to determine in his mind whether the ministers meant by these expressions an insult or a mockery of parliament, or whether they meant both. But his majesty was made his own historiographer, and he gave us in this very curious Speech, a narrative of his proceedings during the recess. He supposed that this was to be considered as one of the economical reforms of the new ministry; for as the place of historiographer to the king was one of those abolished by the late bill, they had given that duty to his majesty himself; and the office of the poet laureat, he supposed, would, in consequence of the specimen which that House had heard last night of the poetical talents of the chancellor of the exchequer, be consigned to that right honourable gentleman.

"To ensure the full advantage of a government conducted on such principles, depends on your temper, your wisdom, your disinterestedness, collectively and individually." He defied the oldest member of that House to trace in all the Speeches that he had ever heard, a request more extraordinary than this. The minister, indeed, was resolved to put their temper to the test, when he ventured to advise the king to make such an address to his parliament: as vexation was the best of all possible trials of temper, to hear that Speech, to re-echo it back to the throne, and yet not to grow out of humour, was the severest test of the temper of parliament, that could be exhibited. With regard to the wisdom that his majesty's ministers had made him call for, unfortunately it was not to be forced within those walls, like a member's attendance by a treasury note. No gentleman could, as Gregory was drubbed into a doctor, be beat with a stick into wisdom. Wisdom was stubborn, and would be equally deaf to the call of majesty and the call of ministers. The wisdom of the House must

remain to operate just as it thought proper. He had often heard of the qualification of a member of that House; but never until this moment that wisdom was one of the qualifications which could be called for, and must be produced at the pleasure of the king. The ministers did not seem to be Irish, but Welsh; "I can," says the great Welsh magician, "call up spirits from the vasty deep." "Aye;" says the plain rough Hotspur, "but will they come when you call?" His majesty might call for wisdom, but wisdom was not to be compelled. It was what philosophers call an original infusion, and was not to be inspired or procured at pleasure.

But all this was nothing to what followed. His majesty calls for disinterestedness from parliament. Disinterestedness! Could any man believe it possible that the king from the throne should be made to libel the two Houses of parliament with the crime and treason of interestedness! He could hardly give credit to his senses. It was a strain of insult beyond his imagination to conceive. Would the House bear to be told by any minister, that they were collectively and individually a servile, and a corrupt set of men, without virtue, without zeal, forgetful of duty, and negligent of character?

"My people expect these qualifications of you, and I call for them." Here was a mode and strain of blustering, to which he believed that House was unaccustomed, and how it would sit upon their tempers, with all possible respect for their wisdom, he could not take upon himself to say. He believed that since the days of King Charles, who had advanced into that House, and thrown himself into the Speaker's chair to look for the members who had offended him, such an insult and indignity had not been offered to them. He thought them called upon by every inducement of respect to themselves; to the high character which they ought to maintain; to the just jealousy of their privileges, which ought never to be asleep; to the duty which they owed to the people of England, to declare that they would never submit to be slandered or tutored

by the king's ministers. He believed that House was tainted with interest, and that corruption was to be found in it; but it was from the people of England that they were to receive rebuke as well as counsel. The executive government was not appointed to controul the legislature, nor to teach them their duty; they knew their duty, and if they failed to discharge it, their constituents, he hoped, always would, as they ought, come forward and correct them.

At length folding up the Speech, he begged the House to excuse him for having preached so very long a sermon, but he desired them to remember, that he deserved not the name of Parson Spintext, for he held in his hand the longest text that ever required a comment; and a long text, they all knew, made a long comment indispensable. Having been upon his legs a considerable time, and used a great deal of laughable, mixed with a great deal of serious argument, Mr. Burke, in terms of great earnestness, declared, he thought the Speech a compound of hypocrisy, self-commendation, contradiction, and folly; and were it not that unanimity was so absolutely necessary, just at the present crisis, he would move an amendment, and even yet he was not determined whether he would not still propose one.

The Address was however agreed to without any amendment or division.

Address on the Preliminary Articles of Peace.

February 17. 1783.

THE preliminary articles of peace between Great Britain and France, and between Great Britain and Spain, were signed at Versailles on the 20th of January 1783; and on the

27th copies of the same, and of the provisional treaty with the United States of America, were laid before both houses of parliament, and after a short debate, ordered to be printed. Monday, the 17th of February, was appointed for taking them into consideration; and in the intermediate time several motions were made for such papers and documents as might assist the House in deciding on their merits. On the day appointed upwards of four hundred and fifty members were assembled. After the papers were read, a motion was made by Mr. Thomas Pitt, and seconded by Mr. Wilberforce, "That an humble address be presented to his majesty, to return his majesty our most humble thanks for having been graciously pleased to lay before us the articles of the different treaties which his majesty has concluded, and to assure his majesty that we have considered them with the most serious attention. To express the great satisfifction and gratitude with which we perceive that his majesty, in the exercise of the powers which were intrusted to him, has concluded provisional articles with the states of North America, on such principles as must, we trust, lay the foundation of perfect reconciliation and friendship with that country. That, impressed with these sentiments, we cannot forbear particularly to lay before his majesty our earnest wish and just expectation that the several states of North America will, in the amplest and most satisfactory manner, carry into execution those measures which the congress is so solemnly bound by the treaty to recommend, in favour of such persons as have suffered for the part they have taken in the war, a circumstance to which we anxiously look as tending to cement that good-will and affection which we trust will uniformly mark the future intercourse between us. And to assure his majesty, that we are sensible of his wise and paternal care for the welfare and happiness of his subjects, in relieving them from a long and burthensome war, and restoring the blessings and advantages of peace, by the preliminary articles agreed upon with the courts of France and Spain. To assure his majesty, that we indulge the most sanguine hopes, that his subjects of Great Britain and Ireland will successfully apply their attention to cultivate and improve by every possible means their domestic resources. That with these views we shall apply ourselves to a revision of our commercial laws on the most liberal principles, and in a manner adapted to the present situation of affairs, for the purpose of extending our trade and

navigation on the surest grounds, and diligently providing for the maintenance of our naval power, which can alone insure the prosperity of these kingdoms."—An amendment was moved by Lord John Cavendish, by leaving out from the words "and to assure his majesty, that," in the first paragraph, to the end of the question, in order to insert these words, "his faithful Commons will proceeed to consider the same with that serious and full attention which a subject of such importance to the present and future interests of his majesty's dominions deserves: that in the mean time, they entertain the fullest confidence in his majesty's paternal care, that he will concert with his parliament such measures as may be expedient for extending the commerce of his majesty's subjects. That whatever may be the sentiments of his faithful Commons on the result of their investigation of the terms of pacification, they beg leave to assure his majesty of their firm and unalterable resolution to adhere inviolably to the several articles for which the public faith is pledged, and to maintain the blessings of peace, so necessary to his majesty's subjects, and the general happiness of mankind," instead thereof.—A second amendment was afterwards moved by Lord North, by inserting after the words "commerce of his majesty's subjects," these words, "and his majesty's faithful Commons feel that it would be superfluous to express to his majesty the regards due from this nation to every description of men, who, with the risk of their lives, and the sacrifice of their properties, have distinguished their loyalty and fidelity during a long and calamitous war." The original address was supported by Mr. Secretary Townshend, Mr. Chancellor Pitt, Mr. Dundas, the Solicitor General, and by Mr. Powys, Mr. Bankes, and some other country gentlemen; the amendments by Lord North, Mr. Fox, Mr. Burke, Governor Johnstone, Lord Mulgrave, Sir Henry Fletcher, Mr. Sheridan, Mr. Adam, and also by several of the country gentlemen.

Mr. BURKE was very pleasant in his remarks on the modesty of the Address. At the beginning of the session ministers had been very verbose, because when men design to perform little, they promise a great deal. Now that ministers had given away to the enemies of this country immense possessions, few words were judged to be the wisest: but, perhaps, the country would deem the verbose

Address less exceptionable, than that which was defended on the ground of its modesty; at least, he was sure the country would feel less the consequence of the one than of the other. But the right honourable secretary had adopted a style of reasoning fit for the defence of such conduct: "true," said he, "the peace is a bad one, but could you have made a better? Much has been given to the enemy, but, thank God, that much is a heap of rubbish." France, said Mr. Burke, has obtained Tobago and St. Lucia in the West Indies, a dangerous extent of fishery, all the forts and islands in Africa, and a district in the East Indies, which cannot fail to render her a formidable enemy, whenever war shall again break out. To Spain we had ceded East Florida, and guarantied West Florida and Minorca. To America we had given an unlimited extent of territory, part of the province of Canada, a right of fishery, and other extraordinary cessions; and yet the right honourable secretary told the House, that what we had conceded was of little worth to us, and, in effect, a heap of rubbish. The right honourable secretary forgot that this depreciation of what we had ceded to France, to Spain, and to America, but ill agreed with his chief argument in defence of the peace; namely, that being triumphant at the end of the last war, we insisted on terms humiliating to the house of Bourbon, and that now the house of Bourbon, having the turn of the scale in the fortune of war, had a right to dictate terms of peace to us; and it was natural to expect, that she should insist on having those humiliating terms reversed. Was France, then, so moderate in the hour of her triumph, that she was contented with a mere nominal cession? Did a heap of rubbish gratify her ambition? Modest house of Bourbon! Humble in prosperity, self-denying, when she could best feed her vanity and her interest!

Having pushed this point with considerable force of ridicule, Mr. Burke went into a cursory review of the several treaties, and particularly laid his stress on the cessions to France in the East Indies. He painted the articles that related to that subject as disadvantageous in the ex-

treme, and took notice of Mr. Thomas Pitt's remark, that we had nothing to fear in that quarter, while we had a great general and a great statesman at the head of affairs there. With regard to the general, no man had a higher opinion of his bravery and wisdom than he had; so much had been done for his country by his judgment and his valour, that every thing was to be expected at his hands that military skill could achieve: but he must differ with regard to the gentleman described as a great statesman. Perhaps that great statesman (Mr. Hastings) would be proved to be a great delinquent, and that his projects of extending the territorial acquisitions of the country had nearly ruined, not only our commercial interests in India, but our very existence in that quarter of the globe.

Having argued this strongly, he came to a consideration of the treaty with the United States; a treaty which in its preamble declared reciprocal advantage and mutual convenience to be its basis, but which was full of the most important concessions on our part, without the smallest balance or equipoise to support that reciprocity it so much boasted. Had he been worthy to advise ministers in making that treaty, he would have advised them not to mention such a word as reciprocity. If the terms, from the necessity of our situation, were obliged to be such as were replete with disgraceful concession, to talk of reciprocity was adding insult to injury. In like manner, if what this country owed the loyalists could not be obtained, he would not have said one syllable about those most unhappy men. Better to have left the whole to future negociation, and to have been totally silent upon the subject in the treaty, than to have consented to set our hands to a gross libel on the national character, and in one flagitious article plunge the dagger into the hearts of the loyalists, and manifest our own impotency, ingratitude, and disgrace. Mr. Burke said, there were some of the loyalists whose conduct he never had approved, because he had been persuaded it led to mischief and ruin: but he had no right to say, that even such of them as he had described might not

be influenced by motives of purity, and looking at affairs through the medium of prejudice, instill into others those erroneous notions which they themselves had imbibed, and which they firmly believed. At any rate, it must be agreed on all hands, that a vast number of the loyalists had been deluded by this country, and had risked every thing in our cause; to such men the nation owed protection, and its honour was pledged for their security at all hazards. How far any description of the refugees merited the titles of vipers and traitors bestowed on them by the honourable gentleman who moved the Address, he would leave the world to imagine. He saw no use, however, in abusing and vilifying those whom we had shamefully abandoned.

He took notice of Mr. Powys's attack upon that side of the House for the coalition stated to have been formed that day, and maintained that there was nothing heterogeneous in such an alliance, if any such had been formed,—which he was yet to learn. He bid those who held such an opinion look at the treasury-bench at that moment, and see the learned lord advocate (Mr. Dundas) sitting between the chancellor of the exchequer and the secretary of state. He reminded the House of the frequent speeches of the latter, in opposition to that administration which the learned lord had on all occasions supported; and after creating some laughter at the expence of the present administration, reverted to his original argument, that the peace was disadvantageous and disgraceful. In answer to Mr. Powys's declaration, that the noble lord in the blue ribbon was the cause of it, he said, it by no means followed that we must submit to any terms, because the war had been calamitous and unfortunate. The success of the last campaign gave us vantage ground, and we had a right either to have conceded less or to have maintained more.

The debate lasted till near eight o'clock in the morning, when the House divided on the original Address: Yeas 208; Noes 224. The amendments were consequently carried by a majority of 16.

Coalition between Mr. Fox and Lord North.

March 31.

In consequence of the censure passed on the peace by the resolutions of the House of Commons on the 21st of February, the Earl of Shelburne quitted his office of first commissioner of the treasury, and the chancellor of the exchequer, Mr. Pitt, declared publicly in the House, that he only held his place till a successor should be appointed to fill it. A ministerial interregnum ensued, which lasted till the beginning of April; during which time the kingdom remained in a state of great disorder; without any responsible government at home, the finances neglected, the military establishments unreduced, and the negociations with foreign powers, which the critical conjuncture of affairs rendered peculiarly important, entirely at a stand. On the 31st of March, the Earl of Surrey moved an Address to his majesty, beseeching him to form an efficient administration. In the course of the debate which took place in consequence of this motion,

Mr. Burke rose, and, in a full, clear, and manly way, vindicated the parliamentary conduct he had observed for a period of eighteen years. He said he had constantly voted on the same side with those noble and firm supporters of the constitution, the house of Cavendish, and he trusted he always should. He had been blamed for joining in the coalition; he however made no doubt but a time would come when he should have it in his power to convince those persons that now railed so bitterly against it, that they were entirely wrong, and were doing more hurt to their country than they imagined. It was absurd to say that the coalition could not act because they differed on some points. Had he not differed, on the Middlesex election, respecting equal representation, &c. &c. with his right honourable friend (Mr. Fox), and yet would any man say they could not act together on other grand points? Undoubtedly they could, and it would be found that coali-

tion was the only means that could be resorted to in order to form an administration upon a firm and broad basis.

The Earl of Surrey consented to withdraw his motion, with an understanding that it was to be renewed in three days. The day after this debate, a negociation was again opened with the Duke of Portland, and on the 2d of April a new administration was announced.*

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* The following is a list of the new administration:

Members of the cabinet.

First Lord of the Treasury — Duke of Portland.
Secretary of State for the Home Department — Lord North.
Ditto for the Foreign Department — Right Honourable Charles James Fox.
Chancellor of the Exchequer — Lord John Cavendish.
First Lord of the Admiralty — Lord Viscount Keppel.
President of the Council — Lord Viscount Stormont.
Lord Privy Seal — Earl of Carlisle.

Not of the Cabinet.

Lords Commissioners for the Custody of the Great Seal — Lord Loughborough, Sir Wm. Henry Ashurst, Sir Beaumont Hotham.
Master-General of the Ordnance — Lord Viscount Townshend.
Secretary at War — Honourable Richard Fitzpatrick.
Paymaster of the Forces — Edmund Burke, Esq.
Treasurer of the Navy — Charles Townshend, Esq.
Attorney-General — James Wallace, Esq.
Solicitor-General — John Lee, Esq.
Secretaries to the Treasury — Rich. Brinsley Sheridan, Esq. Richard Burke, Esq.
Speaker of the House of Lords — Earl of Mansfield.
Lord Lieutenant of Ireland — Earl of Northington.
Secretary to ditto — William Windham, Esq.

WILLIAMS'S DIVORCE BILL.

March 27.

THIS day the House resolved itself into a committee on Williams's divorce bill. A conversation took place on the clause inserted in the Upper House, on the motion of Lord Ashburton, the purport of which was, that the children born after the separation of the husband and wife should not be entitled to any share of the husband's property, unless the said children should be able to prove their legitimacy. Mr. Fox, in an able speech, arraigned this clause as an act of great injustice to the children, and moved that it should be rejected.

Mr. BURKE opposed the motion. He argued, that the illegitimacy of the children was as clearly established as the adultery; and thence he inferred the propriety of bastardizing the offspring, in justice to a much-injured husband, who would otherwise be subjected to great inconveniences for twenty-one years; and perhaps have, afterwards, the additional mortification of finding it put out of his power, by the death of his witnesses, to prove the children illegitimate. He defended the clause in question, and said, it would not put the children in a worse situation than they would be without it; for being declared illegitimate, either by law or by a special act of parliament, they must in either case be deprived of any claim on Mr. Williams. He went farther, in order to shew the hardships that gentleman must suffer if the clause should not pass. It was a maxim in law, 'pater est quem nuptiæ demonstrant;' but he would not generally subscribe to that maxim: for when a woman lived in open adultery, and had children, the probability in reason was that they belonged to the adulterer, and not to the husband, even though the latter should occasionally have access to the wife. With this opinion, he must think that Mr. Williams ought to be pronounced by the bill not to be the father of children, whom no one in that committee believed to be his.

Mr. Burke went on to state the arbitrary nature of our law respecting parental authority, and the disposing of landed property, in not dividing it equally among the children of a parent, but giving it to the eldest son. He entered into a curious but abstruse disquisition of the nature of our laws and customs with regard to husbands and wives, and their power over their children. He mentioned the municipal law respecting divorces; and stated that the Romans did not marry, nor understand the economy of marriage, for a long time; that they allowed of divorces, but the condition of them was, that the parties divorced were never to marry again, but to be condemned to perpetual celibacy. He reasoned upon this for some time, and said the bill was, as his right honourable friend had stated, an appeal to them, partly of a legislative, and partly of a judicial nature. There were, however, more parties to be considered than the three mentioned by his right honourable friend. It was not only the case of Mr. Williams, his wife, and children, but of the lady, whoever she might be, that Mr. Williams might hereafter marry. Would they, then, divorce Mr. Williams from his unfortunate marriage, and yet entail upon him for twenty-one years all the worst consequences of that marriage? Would they oblige him to take home to his parental arms the bastards of his most mortal enemy? — to have them for twenty-one years under his eye, the monuments of his shame, the pledges of his disgrace? Let the committee think upon the cruelty, the injustice of such conduct. Let them feel for Mr. Williams; let them consider how he was to marry again under such circumstances.

Mr. Burke put these appeals to the humanity of the House with great force and address, and contended, that the evidence which had proved the adultery of Mrs. Williams, and entitled Mr. Williams to a divorce *à vinculo matrimonii*, likewise proved the children bastards, and warranted the House to pronounce them such. He feared his right honourable friend had learned some of his style of reasoning upon the present question from what he

had heard elsewhere. It was not in his right honourable friend's nature to be niggard of relief, where a claim to relief was made out. He was not in the habit of reluctantly dealing out a piece of a remedy, and loading the boon, small as it was, with a weight of inconvenience and discomfiture equal almost to the weight of the original evil. Most of the difficulties started upon divorce bills, he had generally observed, came from batchelors, men, strangers to the nice feelings of husbands, and to the aggravating sensations of which the injured honour of married men felt the affliction.

After reasoning upon this point for a considerable time with wonderful force, Mr. Burke shewed, that if the bastardizing clauses were struck out of such bills, it would nearly oblige the husbands to a state of celibacy all the remainder of their lives. He put the case, that a man at forty years of age obtained a divorce, and the wife had children in adultery: in that case, the man could not marry until he was sixty-one, — by no means the best time for marrying, if future divorces were wished to be avoided! Having pleasantly stated this, he put other cases, and concluded with declaring, that he saw no reason why he should scruple, as a legislator, to pronounce those children illegitimate, who had been proved to be such, and whom, from the evidence given in support of the bill, he knew to be bastards.

The committee proceeded to divide on the question; but on counting over the members, it was found that there was not a sufficient number present to constitute a House, so that they adjourned.

EAST INDIA AFFAIRS.

April 25.

THIS day the report from the committee on the bill for empowering the East India Company to borrow money, and make a dividend of four per cent. on their capital for half a year, being brought up,

Mr. BURKE entered into a long detail of accounts relative to the finances of the East India Company. He observed, that they carried on two distinct species of trade: the one of power in the dominions of which they were masters; the other in China, which might be called strictly commercial; the former he proved to have been a losing trade to this country, and the latter lucrative; but then all the profits arising from it were nearly consumed to make good the losses in the former. He arraigned, in very severe terms, the conduct of Governor Hastings, whom he called the grand delinquent of all India, to whose measures all the calamities under which that country was groaning were, in his opinion, to be ascribed. Hyder Ally, he said, had been twice sold to the Nabob of Arcot, and twice had the Company on that account been engaged in wars with the former; for which, when the nabob was called upon to give the stipulated supplies to the Company, he always excused himself, by saying, that he was unable, unless Hyder, whom he called his rebel subject, should be put into his hands; and the country he had seized should be restored. The government of India falling in with the views of the nabob, had undertaken two wars against Hyder, and plunged India into an abyss of calamity; and when peace was made with that prince, the nabob was not included in it; so that he was left at liberty to go to war with Hyder whenever he pleased; and thus, the nabob being the ally of the Company, there never was wanting a pretext for

commencing hostilities, without the appearance of the Company acting as principals in the war. He described the famine that at present raged at Madras in the most pathetic manner, stating that two hundred persons perished daily with hunger in that city; that vultures appeared by hundreds, hovering over that ill-fated city, to share with the wolves and dogs in devouring the carcases of the dead; and to add to the misfortune of the miserable inhabitants, they had also wolves and vultures in human shapes eager to devour them; that Lord Macartney was obliged, from principles of humanity, to send the handicraftmen out of Madras, where there was not work or food for them, to other places. He deplored the fate of a great princess, who, in another part of India, had been driven from her palace with two thousand of her women, after the most faithful of her servants had been hanged; and he prepared the House to expect, in the next report from the select committee, such accounts of the cruelty, barbarity, and rapine of our government in India, as would shock every man of the least sensibility. He spoke of large fortunes acquired by individuals, while the Company was almost reduced to bankruptcy; and he instanced the readiness with which 800,000l. had been raised by Mr. Hastings for the purpose of making investments, to prevent the Company's ships from coming home in ballast. He did not approve the motion relative to the dividend; but he would support it, as he hoped that a totally new system, relative to the government of India, would be adopted. He laid it down as a maxim, that the relief of the India Company and its reform should go together. He believed the particular accommodation, which the bill then under discussion would afford, was indispensably necessary, and necessary with as little delay as possible. On that account, and on that account only, he was willing to give his assent to it; but if he thought that it was merely one part of a system of driblets, and that without going fully into a general reform of the abuses in the government of India, it was meant by little and little to meet the difficulty of the moment, and apply a remedy

proportioned to the present pressure of inconvenience, he would most steadily oppose it.

In answer to what fell from Governor Johnstone,

Mr. BURKE said, that if he held improper language in that House, he might be called to an account for it in a parliamentary way: if called to an account out of the House, he would answer it in a gentleman's way; but no danger, no bullying, no threat, should ever prevent him from doing his duty; and he pledged himself to God, to his country, to that House, and to the unfortunate and plundered inhabitants of India, that he would bring to justice, as far as in him lay, the greatest delinquent that India ever saw. With respect to loose accusation, he was as much above it as the honourable gentleman. He might rest assured, that when he charged Mr. Hastings, he would do it by alleging some specific fact of criminality. To act otherwise would be something worse than acting ungenerously; it would be to act the part of a calumniator; a part which he never would consent to perform. Mr. Burke reasoned a good deal in terms of painting, upon overcharging a picture with colour, in order to hide an imperfect outline; and declared, that he would take care his drawing should be correct and perfect before he put on any colouring at all. He said he was justified by the five-and-forty resolutions of the secret committee, in holding this language with regard to Mr. Hastings, whom the House had already so far censured as to resolve that he ought to be brought home to take his trial.

MESSRS. POWELL AND BEMBRIDGE.

May 2.

THIS day Lord Newhaven informed the House, that since the 24th of April, when he moved for the minute of the treasury, relative to Messrs. Powell and Bembridge, he had been informed, that prosecutions against those gentlemen had been ordered in the courts below: if he should now be told from authority, that such prosecutions had really been ordered, he would move to have the order discharged, for taking the minute into consideration; because he was of opinion, that no proceeding should be had in the House that might tend to create a bias in the minds of the public, before the two gentlemen in question had been brought to trial. — Mr. Sheridan said, the attorney-general had given it as his opinion, that a prosecution for a misdemeanor should be instituted by information; and also that another prosecution by English bill should be instituted in the court of exchequer, to compel Messrs. Powell and Bembridge to make up their accounts, and pay in their balances. — Mr. Kenyon said, that from the state of the case that had been laid before him, he had delivered it as his opinion, that the gentlemen ought to be the objects both of a criminal and a civil prosecution; and in such a light had their conduct appeared to him, that he did not hesitate to declare to those who were at that time in power, that such enormous offenders ought not to be suffered to remain in places of trust.

Mr. BURKE defended his conduct in restoring the two gentlemen to their former situations. It was his own act entirely, on which he never so much as asked the advice or took the opinion of any other man. He said he had so regulated the pay-office, that there was no danger of the public money being embezzled by these gentlemen or himself: he kept no balances in his hands, they lay at the bank, but were very small; when he went out of office, the balance amounted to no more than 700l. In the case that had been laid before the learned gentleman who spoke last, for his opinion, there was one omission, of which the persons

in question had great reason to complain; and if the circumstance to which he alluded had not been kept back, he was sure that the learned member's opinion would not have been so strongly against the two gentlemen.

Mr. Martin said, that when he heard from the highest authority, that two considerable clerks in office had been dismissed for gross misbehaviour, and that they were afterwards restored, he could not help looking upon their restoration as a gross and daring insult to the public.

Mr. BURKE, rising in a violent fit of passion, exclaimed, "it is a gross and daring ———;" but he could proceed no farther, for Mr. Sheridan by this time had pulled him down on his seat, from a motive of friendship, lest his heat should betray him into some intemperate expressions that might offend the House.

May 19.

Lord Newhaven stated to the House, that the motion he had the honour to make on the 24th of April, for laying before the House the minutes of the treasury, relative to the dismission of Messrs. Powell and Bembridge, appeared to him now quite useless, as a prosecution was commenced in the courts below; and as it would be highly improper to have an inquiry going on at the same time in that House, he should move, that the said order be discharged.

Mr. BURKE apologized for the warmth he felt when this business was last before the House. It was the very high respect he had for the House, that would not permit him to sit quiet under an idea that he had deserved their censure; but he desired to be understood, that nothing was farther from his intention, than to offer an excuse for what he had done relating to the two unfortunate gentlemen, who were the subject of conversation. With respect to his conduct on that subject, he felt such a sunshine of content in his mind, that were the act undone, he was convinced

that he should do it again. It had ever been, and it ever should be a maxim with him, to compassionate the unfortunate; and, if they happened to be connected with him, to protect them, as long as he found them nothing worse than unfortunate. He called Messrs. Powell and Bembridge two unfortunate men; and said they had been committed to his protection by the hand of Providence, and that he did no more than his duty in restoring them to their situations; at the same time he declared he was far from meaning to impute any blame whatever to his predecessor. He might see the matter in a different point of view from that in which it struck him; and having acted upon his conscience and his judgment, he had acted warrantably and even laudably. He disclaimed every idea of having acted in concert with any of his majesty's ministers, or having so much as asked their advice; nay, he declared that it was even contrary to the prayers and entreaties of the very parties concerned, that he kept them in his office. He said, that one of them had been with him, and appeared almost distracted; he was absolutely afraid the poor man would loose his senses; this much he was sure of, that the sight of his grey hairs, and the distraction in which he had seen him, had so far affected and overcome him, that he was scarcely able to come down to the House. He then read his own letter to Mr. Powell, in which he signified to him his restoration to office; but at the same time stated, that he was aware that there were charges of a very grave and weighty nature talked of against him, about which his mind was by no means made up; and he declared that if those charges should hereafter be proved, it would be utterly impossible for him to keep him in the situation that he then offered. He then read a letter from Mr. Powell, in which that gentleman implored him to permit him to resign, and entreated him to sacrifice him to public clamour rather than bring it on his own head. Mr. Burke then shewed, from the act that he himself had brought in for regulating the pay-office, that as there could be no balance either in his own hands or those of his clerks, the public

ran no risk of being injured by the restoration of these unfortunate gentlemen. As for his own conduct in this affair, he cared not how deeply it was probed; but, in justice to them, he wished that no inquiry should be instituted till after their trial should be over, and then he would meet it with satisfaction.

The motion for discharging the order was agreed to, on a division, by 161 to 137.

May 21.

Mr. Rolle, seeing the paymaster-general in his place, requested he would inform the House, whether he still persevered in his intention to keep Messrs. Powell and Bembridge in office; adding, that by the answer, he should be determined either to make or suppress a motion he had in contemplation for Monday next. — General Smith hoped, that no debate would then take place, that might interfere with the business relative to India affairs, which stood for that day, and which was of a nature not to brook delay.

Mr. BURKE said, he was not a little embarrassed how to answer the honourable gentleman's question. However, since he had called upon him, he would endeavour so to explain himself to the House, as to give them satisfaction. He was sorry that any thing relative to him should prevent his honourable friend from bringing on the business relating to India, which he knew to be of a very important nature; the delay, however, was not imputable to him, but to the honourable gentleman who had brought him once more upon the scene, to walk in procession before the House. He did not know, whether the honourable member intended to honour him by making him walk first; for in some processions the place of honour was to walk first; in others, it was to walk last. The honourable member had put him *sur la broche*, and, no doubt, as a *bon rotisseur*, he would not give him a single turn more than he should find necessary; if he must be roasted, he should like to

have the work neatly performed, least, as it was said of the savages of certain parts of America, who roasted their prisoners, he should be obliged, after he was put upon the spit, to cry out to his *rotisseur*, "you are a bungling fellow, you don't know how to roast a man." He presumed he did not intend to do him the honour, to make of him the principal dish for the day, but merely to serve him up as an *entremet*.

Having travelled for a while in the region of allegory, Mr. Burke spoke seriously to the question that had been put to him. He took God to witness, that in restoring Mr. Powell and Mr. Bembridge to their places in his office, he was actuated solely by motives of justice; before he took that step, he had weighed all the consequences of it; and had passed many sleepless nights; but his fears were not that he should bring himself to restore these gentlemen, but that he should not; so fully was he convinced, that in conscience he was was bound to do it: he brought it at last to this consideration: — What would be the consequence to these unfortunate gentlemen, if they should not be restored? What to himself if they should? The question being once stated in this point of view, he did not hesitate a moment to sacrifice his fears to the dictates of his conscience: the restoration followed of course; and in his opinion it was strictly founded in justice. He was not, however, wedded to his opinion; and he was ready to give way when so great a number of members of that House as 137 had, in some measure, appeared to censure his conduct; and the more so, as in that number he had seen some of his most respected friends; and who, he was convinced, would rather have voted with him than against him, if they did not think that he had been in the wrong. To the opinion of that House he would ever bow; nor did he wish to take the sense of it by a division; it would be sufficient for him, if a few of the most leading members would give it as their opinion, that the unfortunate gentlemen in question ought not to be kept any longer in their offices. To collect the sense of the House, it was there-

fore necessary for him to enter largely on the business, that his conduct might be fairly open to parliament, as it was intentionally upright in his own breast. He thought, indeed, that Monday had decided the matter, until a jury had acquitted or condemned the two clerks; but as he was mistaken in that supposition, he would again cheerfully submit his conduct to the House; and as they were disposed to think, so should he consider himself bound to act.

He assured the House, that he had not spoken to one friend on this occasion. He did not solicit so much as the assistance of a single vote to support him, nor did he mean that this much-misrepresented transaction should stand on any other ground than its own good and innocent intention. It was now to stand the test of a second trial, and abide by a second judgment. He again repeated to the House, that their directions should implicitly be followed, be their sense of the business what it might; and as he was judged by them in regard to the past, so would he be decided by the same tribunal as to the future. The oblique censure which the honourable gentleman's questions cast upon him did not a little affect him. He wished to stand in estimation with the House—in estimation with the public; his whole life had been devoted to their service, and to forfeit their esteem would be his greatest misfortune. Yea or no were short monosyllables to decide so great a question as that which affected his honour in a most intricate business; nor could he give the negative or the affirmative to the honourable gentleman until the causes and effects were fully discussed. A very respectable minority had, it was true, thought his conduct censurable; but a majority equally respectable in character, and more decisive by numbers, had given him an opportunity to assert, that by the collective sense of the House, he was not censurable. In that minority there were many of his personal friends, men with whom he held intimate acquaintance. They were entitled to every explanation in his power to give them, on a subject where they had given their judgment without investigating the facts, and censured persons by a determination on what

might be called *incognita causa*. Minorities, it was true, of late, had been held respectable; and men plumed themselves on being in the smaller number, and having the sense of parliament against their conduct only by a small majority. This they considered not as censure, but talked of it rather as an honourable mode of retreating from office, than as the sense of the people, that they were no longer worthy a continuance of his majesty's favour. But he held the opinion of the House of Commons in a different point of view, and should always look up to the majority as the tribunal by which his honour was to be condemned or acquitted. These were the regulating principles of his heart and his judgment; and to the sense of the House he should own passive obedience. With these sentiments, his conscience was so enlightened, that he should consider the censure of the House as one of the greatest external misfortunes upon earth; a medicine of the most nauseous kind. Public displeasure was, indeed, a bitter draught.

Mr. Burke then entered into a justification of his own conduct from his earliest days, the motives that influenced that conduct ever since he began the world, and said, that it was always his maxim to justify the order of Providence, and the disposition of the king. He talked of punishing a person antecedent to trial, as a measure that ought to be reprobated, and as one of those acts of cruelty that were unjustifiable in a land of freedom. When he came into office, when his majesty was graciously pleased to give him the power of putting into practice that which he had stated in theory, he had it in view to be lenient — to be mild, and to look to the future more than to that which was past. He foresaw the dangers, the difficulties, of scrutinizing the conduct of men in office, and of bringing to trial those against whom there were many public complaints. Clerks in the treasury were always odious to the vulgar idea, because it was generally understood that they could not there act honestly or without peculation, and the public were at all times ready to punish them. Mr. Burke then adverted to the motives which induced

him to take up the great plan of reform, and in particular to abolish the subordinate treasuries. He read an extract from his pamphlet in respect to that department, and was proceeding more largely into the discussion, and making some pointed remarks on party spirit in the present business, when he was called to order by

Mr. Rolle defended himself from all idea of party spirit being the motive which induced him to take up that which he stood pledged to do in the present affair; he at the same time could not help observing, that the right honourable gentleman varied very much from the point in question, and was going into a matter that was not at all applicable to what was under consideration. — Mr. Dempster thought, as a question had been put to the right honourable gentleman, he ought to have the liberty to state his reasons to the House either for giving or not giving his answer. — Mr. Fox observed, that there was not any motion before the House, and consequently nothing more orderly under consideration. His right honourable friend had been asked a question, and surely he was as justifiable in entering into his reasons, for giving or not giving a direct answer, as the honourable proposer was regular in asking that question without a motion. Besides, it was very probable that his right honourable friend might end his observations with moving the House on the very subject now in conversation: he therefore thought him perfectly orderly.

Mr. BURKE said, that the honourable gentleman, although not conversant in the business, was yet desirous to have it brought forward; but as explanations were not what he aimed at, he wished to have all justification laid aside. It was criminality the honourable gentleman looked for — not exculpation. The principles of the plan of reform had hurt some men sorely, and several of them had lost that which they might never again possess. He knew he had made himself many enemies by that great bill of retrenchment; but he was prepared to meet them, as what he did was for the public good. He had not, in his ideas of retrenchment, any other view; he had no guilt to

palliate; no errors to excuse. He moved the address to his majesty for the reform. His majesty condescended, graciously condescended, to comply with the request of his parliament; and as he before observed, he had the honour to be put in that situation of office which enabled him to justify his theory by practice. After some farther observations, he took a view of part of the administration of Lord Chatham in respect to the treasury, and stated the situation of the balances in the paymaster's disposal at that time. From thence he came to the balances when he came into office, and drew a picture of the treasury, which he said exhibited the tears of ruin and the cries of despair. He mentioned, in pathetic terms, the death of the late Marquis of Rockingham, who, he said, was gone to a better place; and then he adverted to his own situation, and was proceeding, when

Mr. Rolle again called him to order, and was again replied to by Mr. Fox, who insisted on the right which his friend had to be fully heard. — Mr. Pitt thought, as the question was a single one, it could be easily answered. — The Speaker said, he had often stated, and wished to impress it on the mind of the House, that conversations were disorderly; but any member had, in his opinion, a right to put a question to a minister, or person in office, and that person had a right to answer, or not to answer, as he thought proper; and, if he pleased, to explain and enter into a justification of his conduct, and give his reasons before he gave his answer to the question. This put an end to Mr. Rolle's farther calling to order, and

Mr. BURKE proceeded, as he said, it was necessary for him to shew, and to convince the House, that it was not upon slight grounds he had restored the two gentlemen; and that no injury could possibly arise to the public from their restoration. When he was first appointed paymaster-general, he went into office with the most fixed resolution to introduce into it every reform that he should find necessary and practicable; but he was like to those, who, thrown upon an unknown coast, sent out persons — "*locos ex-*

plorare novos — qui teneant hominesne feræne." Mr. Powell and Mr. Bembridge were his most faithful assistants; and notwithstanding the sanguine hopes he entertained of the power of reducing to practice the reforms he had projected in theory, he took Heaven to witness, that had it not been for the assiduity, fidelity, and industry of these two gentlemen, he never could have been able to introduce the reforms which, he thanked God, he now saw established. An honourable member had, on a former occasion, said that theory and practice were two very different things; and that what appeared most fine and specious in the one, could never be reduced, at least not without incredible difficulty, to the other. The truth of this observation he had felt in the pay-office; and if he could claim any right to public gratitude for the savings he had made there, he declared he was in conscience bound to share it with these two unfortunate gentlemen, whose zeal, knowledge of office, activity and assiduity had removed difficulties, which he must otherwise have found insurmountable.

In order to shew what merit Messrs. Powell and Bembridge had with the public, in rendering his theory practicable, he stated the balances which formerly lay in the paymaster's hands; they amounted *communibus annis*, for the last twenty years, to 600,000*l.*; and in some years they were as high as 1,100,000*l.*; these sums, thus laying in the paymaster's hands, brought no superlucration to the public; and yet at 4*l.* per cent. were worth 24,000*l.* per annum; this was formerly the avowed perquisite of the paymaster; so that with the salary, the place used to be worth 27,061*l.* Here was of course a saving of 24,000*l.* a year to the public: to this he added some other very large sums, which formerly brought no superlucration to public; but which at present from the reform in the pay-office, effected a saving to the exchequer of 23,000*l.* a year; so that the whole saving which already accrued to the public, from his plan of reform in the pay-office, amounted annually to 47,000*l.* He praised their conduct as men of business and religious integrity; said he ever

found them just in their accounts, and attentive and indefatigable in their duty; that whatever merit he could claim in this reform, he must divide it equally with them; and that when he went out of office, he knew no men into whose hands he could so safely trust the remaining balances that were in the treasury; and on his return to office, as he saw no account of ill conduct against them, no document to prove that they had erred, he certainly considered himself as justified in restoring them to their places. The pay-office was formerly a very fattening place, into which many a poor man had got, who came out very rich: —men who were weasels when they crept and twisted themselves at entering, but who soon grew so fat, plump, and jolly there, that it was a difficult matter to get them out again. To himself he could answer that the allusion was not applicable, for he was still as lean as when he went in, and his determination was to destroy all that steam of fattening in future, which had too long been the custom hitherto. An honourable gentleman had, on a former day, mentioned Cæsar's wife, but he knew not what was meant, as he had no acquaintance with that lady. He thought, and still maintained the thought, that the two clerks had been rashly removed; and this much he would say, that they were to him useful men, and without whom he could not have done the business. Mr. Bembridge at least was in that situation: his business was a heavy task; he had to make up the accounts of every troop of horse, and every company of foot, the staff officers, garrisons, remittances, extraordinaries, and to attend to the memorials, and the official correspondence, exclusive of making up the pay-master's accounts. This was a business not within the compass of every man's abilities; and to perform which he was not able to discover any person in the office capable. As to Mr. Powell, it was impossible that either he or any other cashier could, as matters now stood, peculate the public money, nor, except by forgery, have a shilling from the Bank that was not *bonâ fide* wanting for the immediate calls of real debts. The assertions made, that the

business could be done without these clerks, or men of equal abilities, were mere assertions; and must be made by men unacquainted with the nature of, and totally unversed in the accounts of the pay-office. He produced a letter from the inferior clerks, stating their inability to get through the business of the office, unless Messrs. Powell and Bembridge were restored, or some other persons appointed to their places, which letter he gave as another reason for his having restored them.

The labour of the office he stated to be very great indeed, from eight in the morning until midnight, and therefore they dearly earned their salary. There were two ways, he said, before him, when he came into office last, either to restore the old or to take new clerks. The old to him were preferable, inasmuch as they must be much more useful to him than the new, and as they were so well acquainted with his plan of reform. And as there was not one of the inferior clerks on whose fidelity, care, and accuracy, he could depend, he thought it most prudent for himself, and better for the public, that they should be restored. It was not to their pecuniary honesty, even were that suspected, that he looked; it was to their relieving him in his weight of business. But as he had never discovered any degree of guilt in their conduct, he was still more induced to have the assistance of the ability he had tried. He described Mr. Powell as a man as responsible as any in the kingdom, but so effectually unhinged by what had lately happened, that he had lost the power of his former functions, and was of very little use in the office, unless with a pen in his hand. He said, he was extremely nervous, and so exceedingly affected by some recent circumstances, that if he put a question to him for information, he could give no rational answer, but was thrown into an agony. In keeping him in his situation, therefore, he could have no view, but a sense of justice, and a conviction, that he ought to protect a man so situated, and not by dismissing him, send him to his trial with a superadded colour of criminality upon him. He declared he had

passed several sleepless nights, in considering how he ought to act; that his fear was not, whether he should keep him in his office, but that he should not. The suggestion against him and Mr. Bembridge, he said, had acted upon his mind like the suggestion stated by Shakespeare, —

> "Whose horrid image did unfix his hair,
> And made his seated heart knock at his ribs
> Against the use of nature?"

After much deliberation, and deep thought, he was convinced he had done right. If, however, his opinion misled him, and he had erred, he awaited the judgment of the House; he held it his duty to act for them; he had made an effectual reform; with their leave he would still go on, and extend that reform farther; but if they so far differed in sentiment, he had only to say, '*nunc dimittis servum tuum.*' On these grounds he put himself upon God and his country, that he had acted for the best, and that he had done what appeared to him most conducive to the public good. He reminded the House, that the severity of all reform being odious and disagreeable to his nature, he never should have undertaken it at all, but on the faith of parliament, that the modification should be admitted with the measure. He had succeeded in his reform by winning the affections of his subordinates; and instead of hunting them for long-practised abuses, he had met them at Mr. Rigby's hospitable table in mutual kindness, and in joy and festivity, and there formed a connection with them, which enabled him to do such essential service to the public. He considered that connection as obliging him to tenderness and affection towards them; nor did he fear that malevolence could imply any wrong motive to those duties which men owe to each other, by being placed in the same office by God and their king. What was stated were all facts, and the conclusion inevitable. In point of fortune, Mr. Powell was a man sufficiently responsible for any sum of money, even if his trust had been pecuniary. The criminality against both was such as admitted much controversy, and would be controverted in a court of justice.

That their guilt had been surmised from a kind of confession drawn from them, which, though it had induced the late paymaster to dismiss them, did not, as the minds of men are differently affected by the same circumstances, justify him in prejudicing the public service by refusing to employ men, of whose capacity, fidelity, and diligence, he had the greatest experience; and who had the approbation of all the great persons who filled this office for many, many years. He shewed that official men, able enough in their department, but living always in habits of dependence, and much secluded from the world, were so timid and helpless, that he was sure the interrogatories of a superior might frighten any of them into a confession of any crime whatever. He said, he could not reconcile to his conscience to send men, in many respects so meritorious, after so many years service, whatever their faults might be, to a trial, already pre-condemned and ruined, one of them in fortune, and both in character.

Such were the circumstances of their restoration. To the authority of parliament he was forced to submit. He had still great matters of reformation to propose to parliament; he would do it, if the House did not refuse to let him exercise that lenity in the execution of them, which alone could prevent reformation from becoming persecution; if otherwise, he should drop them. The case of the two unfortunate gentlemen he left to the humanity and justice of the House. He stated that Mr. Powell had resigned at his own request, and that Mr. Bembridge had offered to do so likewise.

Mr. Rolle said that the accepted resignation of the two officers would render his motion unnecessary. *

* A few days after this debate, Mr. Powell put a period to his existence. And on the 18th of July, Mr. Bembridge was tried on an information filed against him in the court of King's Bench, for conniving at a concealment of 48,709*l.* 10*s.* and found guilty. On the 22d of November he was brought up for judgment, and sentenced to pay a fine of 2,600*l.* and be confined in the King's Bench for six months.

Mr. Fox's East India Bill.

December 1.

THE order of the day being moved, for going into the committee on Mr. Fox's bill "for vesting the affairs of the East India Company in the hands of certain commissioners, for the benefit of the proprietors and the public," the question for the Speaker's leaving the chair was strongly opposed by Mr. Powys. After which,

Mr. BURKE rose and said:

Mr. Speaker; I thank you for pointing to me. I really wished much to engage your attention in an early stage of the debate. I have been long very deeply, though perhaps ineffectually, engaged in the preliminary inquiries, which have continued without intermission for some years. Though I have felt, with some degree of sensibility, the natural and inevitable impressions of the several matters of fact, as they have been successively disclosed, I have not at any time attempted to trouble you on the merits of the subject; and very little on any of the points which incidentally arose in the course of our proceedings. But I should be sorry to be found totally silent upon this day. Our inquiries are now come to their final issue: — It is now to be determined whether the three years of laborious parliamentary research, whether the twenty years of patient Indian suffering, are to produce a substantial reform in our eastern administration; or whether our knowledge of the grievances has abated our zeal for the correction of them, and our very inquiry into the evil was only a pretext to elude the remedy, which is demanded from us by humanity, by justice, and by every principle of true policy. Depend upon it, this business cannot be indifferent to our fame. It will turn out a matter of great disgrace or great glory to

the whole British nation. We are on a conspicuous stage, and the world marks our demeanour.

I am therefore a little concerned to perceive the spirit and temper in which the debate has been all along pursued upon one side of the House. The declamation of the gentlemen who oppose the bill has been abundant and vehement; but they have been reserved and even silent about the fitness or unfitness of the plan to attain the direct object it has in view. By some gentlemen it is taken up (by way of exercise I presume) as a point of law on a question of private property, and corporate franchise: by others it is regarded as the petty intrigue of a faction at court, and argued merely as it tends to set this man a little higher, or that a little lower in situation or power. All the void has been filled up with invectives against coalition; with allusions to the loss of America; with the activity and inactivity of ministers. The total silence of these gentlemen concerning the interest and well-being of the people of India, and concerning the interest which this nation has in the commerce and revenues of that country, is a strong indication of the value which they set upon these objects.

It has been a little painful to me to observe the intrusion into this important debate of such company as Quo Warranto, and Mandamus, and Certiorari; as if we were on a trial about mayors and aldermen, and capital burgesses; or engaged in a suit concerning the borough of Penryn, or Saltash, or St. Ives, or St. Mawes. Gentlemen have argued with as much heat and passion, as if the first things in the world were at stake; and their topics are such as belong only to matter of the lowest and meanest litigation. It is not right, it is not worthy of us, in this manner to depreciate the value, to degrade the majesty, of this grave deliberation of policy and empire.

For my part, I have thought myself bound, when a matter of this extraordinary weight came before me, not to consider (as some gentlemen are so fond of doing) whether the bill originated from a secretary of state for the home department, or from a secretary for the foreign, from a

minister of influence, or a minister of the people; from Jacob or from Esau *. I asked myself, and I asked myself nothing else, what part it was fit for a member of parliament, who has supplied a mediocrity of talents by the extreme of diligence, and who has thought himself obliged, by the research of years, to wind himself into the inmost recesses and labyrinths of the Indian detail — what part, I say, it became such a member of parliament to take, when a minister of state, in conformity to a recommendation from the throne, has brought before us a system for the better government of the territory and commerce of the East. In this light, and in this only, I will trouble you with my sentiments.

It is not only agreed but demanded by the right honourable gentleman †, and by those who act with him, that a *whole* system ought to be produced; that it ought not to be an *half measure*; that it ought to be no *palliative*; but a legislative provision, vigorous, substantial, and effective. —I believe that no man who understands the subject can doubt for a moment, that those must be the conditions of any thing deserving the name of a reform in the Indian government; that any thing short of them would not only be delusive, but, in this matter which admits no medium, noxious in the extreme.

To all the conditions proposed by his adversaries the mover of the bill perfectly agrees; and on his performance of them he rests his cause. On the other hand, not the least objection has been taken, with regard to the efficiency, the vigour, or the completeness of the scheme. I am therefore warranted to assume, as a thing admitted, that the bills accomplish what both sides of the House demand as essential. The end is completely answered, so far as the direct and immediate object is concerned.

But though there are no direct, yet there are various collateral objections made; objections from the effects which this plan of reform for Indian administration may have on the privileges of great public bodies in England; from its

* An allusion made by Mr. Powys. † Mr. Pitt.

probable influence on the constitutional rights, or on the freedom and integrity of the several branches of the legislature.

Before I answer these objections, I must beg leave to observe, that if we are not able to contrive some method of governing India *well*, which will not of necessity become the means of governing Great Britain *ill*, a ground is laid for their eternal separation; but none for sacrificing the people of that country to our constitution. I am, however, far from being persuaded that any such incompatibility of interest does at all exist. On the contrary, I am certain that every means, effectual to preserve India from oppression, is a guard to preserve the British constitution from its worst corruption. To shew this, I will consider the objections, which I think are four.

1st. That the bill is an attack on the chartered rights of men.

2dly. That it increases the influence of the crown.

3dly. That it does *not* increase, but diminishes, the influence of the crown, in order to promote the interests of certain ministers and their party.

4thly. That it deeply affects the national credit.

As to the first of these objections, I must observe, that the phrase of 'the chartered rights *of men*,' is full of affectation, and very unusual in the discussion of privileges conferred by charters of the present description. But it is not difficult to discover what end that ambiguous mode of expression, so often reiterated, is meant to answer.

The rights of *men*, that is to say, the natural rights of mankind, are, indeed, sacred things; and if any public measure is proved mischievously to affect them, the objection ought to be fatal to that measure, even if no charter at all could be set up against it. If these natural rights are further affirmed and declared by express covenants, if they are clearly defined and secured against chicane, against power and authority, by written instruments and positive engagements, they are in a still better condition: they partake not only of the sanctity of the object so secured, but of that solemn public faith itself, which secures an

object of such importance. Indeed, this formal recognition, by the sovereign power, of an original right in the subject, can never be subverted, but by rooting up the holding radical principles of government, and even of society itself. The charters which we call by distinction *great*, are public instruments of this nature; I mean the charters of King John and King Henry the Third. The things secured by these instruments may, without any deceitful ambiguity, be very fitly called *the chartered rights of men.*

These charters have made the very name of a charter dear to the heart of every Englishman.—But, Sir, there may be, and there are charters, not only different in nature, but formed on principles the *very reverse* of those of the great charter. Of this kind is the charter of the East India Company. Magna Charta is a charter to restrain power, and to destroy monopoly. The East India charter is a charter to establish monopoly, and to create power. Political power and commercial monopoly are *not* the rights of men; and the rights of them derived from charters, it is fallacious and sophistical to call 'the chartered rights of men.' These chartered rights (to speak of such charters and of their effects in terms of the greatest possible moderation) do at least suspend the natural rights of mankind at large; and in their very frame and constitution, are liable to fall into a direct violation of them.

It is a charter of this latter description, (that is to say, a charter of power and monopoly,) which is affected by the bill before you. The bill, Sir, does, without question, affect it; it does affect it essentially and substantially. But having stated to you of what description the chartered rights are which this bill touches, I feel no difficulty at all in acknowledging the existence of those chartered rights in their fullest extent. They belong to the Company in the surest manner; and they are secured to that body by every sort of public sanction. They are stamped by the faith of the king; they are stamped by the faith of parliament; they have been bought for money—for money

honestly and fairly paid; they have been bought for valuable consideration, over and over again.

I, therefore, freely admit to the East India Company their claim to exclude their fellow-subjects from the commerce of half the globe. I admit their claim to administer an annual territorial revenue of seven millions sterling; to command an army of 60,000 men; and to dispose (under the controul of a sovereign imperial discretion, and with the due observance of the natural and local law,) of the lives and fortunes of thirty millions of their fellow-creatures. All this they possess by charter and by acts of parliament, in my opinion, without a shadow of controversy.

Those who carry the rights and claims of the Company the furthest, do not contend for more than this; and all this I freely grant. But granting all this, they must grant to me in my turn, that all political power which is set over men, and that all privilege claimed or exercised in exclusion of them, being wholly artificial, and for so much a derogation from the natural equality of mankind at large, ought to be some way or other exercised ultimately for their benefit.

If this is true with regard to every species of political dominion, and every description of commercial privilege, none of which can be original self-derived rights, or grants for the mere private benefit of the holders, then such rights or privileges, or whatever else you choose to call them, are all, in the strictest sense, a *trust;* and it is of the very essence of every trust to be rendered *accountable;* and even totally to *cease*, when it substantially varies from the purposes for which alone it could have a lawful existence.

This I conceive, Sir, to be true of trusts of power vested in the highest hands, and of such as seem to hold of no human creature. But about the application of this principle to subordinate *derivative* trusts, I do not see how a controversy can be maintained. To whom, then, would I make the East India Company accountable? Why, to parliament, to be sure; to parliament, from whom their trust was derived; to parliament, which alone is capable

of comprehending the magnitude of its object, and its abuse; and alone capable of an effectual legislative remedy. The very charter which is held out to exclude parliament from correcting malversation with regard to the high trust vested in the Company, is the very thing which at once gives a title, and imposes a duty on us to interfere with effect, wherever power and authority originating from ourselves, are perverted from their purposes, and become instruments of wrong and violence.

If parliament, Sir, had nothing to do with this charter, we might have some sort of Epicurean excuse to stand aloof, indifferent spectators of what passes in the Company's name in India and in London. But if we are the very cause of the evil, we are in a special manner engaged to the redress; and for us passively to bear with oppressions committed under the sanction of our own authority, is in truth and reason for this House to be an active accomplice in the abuse.

That the power notoriously, grossly abused, has been bought from us, is very certain. But this circumstance which is urged against the bill, becomes an additional motive for our interference; lest we should be thought to have sold the blood of millions of men for the base consideration of money. We sold, I admit, all that we had to sell; that is, our authority, not our controul. We had not a right to make a market of our duties.

I ground myself, therefore, on this principle—that if the abuse is proved, the contract is broken; and we re-enter into all our rights; that is, into the exercise of all our duties: our own authority is, indeed, as much a trust originally, as the Company's authority is a trust derivatively; and it is the use we make of the resumed power that must justify or condemn us in the resumption of it. When we have perfected the plan laid before us by the right honourable mover, the world will then see what it is we destroy, and what it is we create. By that test we stand or fall; and by that test I trust that it will be found in the issue, that we are going to supersede a charter

abused to the full extent of all the powers which it could abuse, and exercised in the plenitude of despotism, tyranny, and corruption; and that in one and the same plan, we provide a real chartered security for the *rights of men* cruelly violated under that charter.

This bill, and those connected with it, are intended to form the Magna Charta of Hindostan. Whatever the treaty of Westphalia is to the liberty of the princes and free cities of the empire, and to the three religions there professed — whatever the Great Charter, the Statute of Tallege, the Petition of Right, and the Declaration of Right, are to Great Britain, these bills are to the people of India. Of this benefit, I am certain, their condition is capable; and when I know that they are capable of more, my vote shall most assuredly be for our giving to the full extent of their capacity of receiving; and no charter of dominion shall stand as a bar in my way to their charter of safety and protection.

The strong admission I have made of the Company's rights (I am conscious of it) binds me to do a great deal. I do not presume to condemn those who argue *à priori*, against the propriety of leaving such extensive political powers in the hands of a company of merchants. I know much is, and much more may be said against such a system. But, with my particular ideas and sentiments, I cannot go that way to work. I feel an insuperable reluctance in giving my hand to destroy any established institution of government, upon a theory, however plausible it may be. My experience in life teaches me nothing clear upon the subject. I have known merchants with the sentiments and the abilities of great statesmen; and I have seen persons in the rank of statesmen, with the conceptions and character of pedlars. Indeed, my observation has furnished me with nothing that is to be found in any habits of life or education, which tends wholly to disqualify men for the functions of government, but that by which the power of exercising those functions is very frequently obtained, I mean a spirit and habits of low cabal and in-

trigue; which I have never, in one instance, seen united with a capacity for sound and manly policy.

To justify us in taking the administration of their affairs out of the hands of the East India Company, on my principles, I must see several conditions. 1st. The object affected by the abuse should be great and important. 2d. The abuse affecting this great object ought to be a great abuse. 3d. It ought to be habitual, and not accidental. 4th. It ought to be utterly incurable in the body as it now stands constituted. All this ought to be made as visible to me as the light of the sun, before I should strike off an atom of their charter. A right honourable gentleman * has said, and said I think but once, and that very slightly, (whatever his original demand for a plan might seem to require,) that 'there are abuses in the Company's government.' If that were all, the scheme of the mover of this bill, the scheme of his learned friend, and his own scheme of reformation (if he has any) are all equally needless. There are, and must be, abuses in all governments. It amounts to no more than a nugatory proposition. But before I consider of what nature these abuses are, of which the gentleman speaks so very lightly, permit me to recall to your recollection the map of the country which this abused chartered right affects. This I shall do, that you may judge whether in that map I can discover any thing like the first of my conditions; that is, Whether the object affected by the abuse of the East India Company's power be of importance sufficiently to justify the measure and means of reform applied to it in this bill.

With very few, and those inconsiderable intervals, the British dominion, either in the Company's name, or in the names of princes absolutely dependent upon the Company, extends from the mountains that separate India from Tartary, to Cape Comorin, that is, 21 degrees of latitude!

* Mr. Pitt.

In the northern parts it is a solid mass of land, about 800 miles in length, and 4 or 500 broad. As you go southward, it becomes narrower for a space. It afterwards dilates; but, narrower or broader, you possess the whole eastern and north-eastern coast of that vast country, quite from the borders of Pegu.—Bengal, Bahar, and Orissa, with Benares, (now unfortunately in our immediate possession,) measure 161,978 square English miles; a territory considerably larger than the whole kingdom of France. Oude, with its dependent provinces, is 53,286 square miles, not a great deal less than England. The Carnatic, with Tanjore and the Circars, is 65,948 square miles, very considerably larger than England; and the whole of the Company's dominions, comprehending Bombay and Salsette, amounts to 281,412 square miles; which forms a territory larger than any European dominion, Russia and Turkey excepted. Through all that vast extent of country there is not a man who eats a mouthful of rice but by permission of the East India Company.

So far with regard to the extent. The population of this great empire is not easy to be calculated. When the countries, of which it is composed, came into our possession, they were all eminently peopled, and eminently productive; though at that time considerably declined from their ancient prosperity. But since they are come into our hands!——! However, if we make the period of our estimate immediately before the utter desolation of the Carnatic, and if we allow for the havoc which our government had even then made in these regions, we cannot, in my opinion, rate the population at much less that 30 millions of souls; more than four times the number of persons in the island of Great Britain.

My next inquiry to that of the number, is the quality and description of the inhabitants. This multitude of men does not consist of an abject and barbarous populace; much less of gangs of savages, like the Guaranies and Chiquitos, who wander on the waste borders of the river of Amazons, or the Plate; but a people for ages civilized

and cultivated; cultivated by all the arts of polished life, whilst we were yet in the woods. There, have been (and still the skeletons remain) princes once of great dignity, authority, and opulence. There, are to be found the chiefs of tribes and nations. There, is to be found an ancient and venerable priesthood, the depository of their laws, learning, and history, the guides of the people whilst living, and their consolation in death; a nobility of great antiquity and renown; a multitude of cities, not exceeded in population and trade by those of the first class in Europe; merchants and bankers, individual houses of whom have once vied in capital with the Bank of England; whose credit had often supported a tottering state, and preserved their governments in the midst of war and desolation; millions of ingenious manufacturers and mechanics; millions of the most diligent, and not the least intelligent, tillers of the earth. Here are to be found almost all the religions professed by men, the Braminical, the Mussulman, the Eastern and the Western Christian.

If I were to take the whole aggregate of our possessions there, I should compare it, as the nearest parallel I can find, with the empire of Germany. Our immediate possessions I should compare with the Austrian dominions, and they would not suffer in the comparison. The nabob of Oude might stand for the king of Prussia; the nabob of Arcot I would compare, as superior in territory, and equal in revenue, to the elector of Saxony. Cheyt Sing, the rajah of Benares, might well rank with the prince of Hesse, at least: and the rajah of Tanjore (though hardly equal in extent of dominion, superior in revenue) to the elector of Bavaria. The polygars and the northern zemindars, and other great chiefs, might well class with the rest of the princes, dukes, counts, marquisses, and bishops in the empire; all of whom I mention to honour, and surely without disparagement to any or all of those most respectable princes and grandees.

All this vast mass, composed of so many orders and classes of men, is again infinitely diversified by manners,

by religion, by hereditary employment, through all their possible combinations. This renders the handling of India a matter in a high degree critical and delicate. But, oh! it has been handled rudely indeed. Even some of the reformers seem to have forgot that they had any thing to do but to regulate the tenants of a manor, or the shopkeepers of the next county town.

It is an empire of this extent, of this complicated nature, of this dignity and importance, that I have compared to Germany, and the German government! not for an exact resemblance, but as a sort of a middle term, by which India might be approximated to our understandings, and if possible to our feelings; in order to awaken something of sympathy for the unfortunate natives, of which I am afraid we are not perfectly susceptible, whilst we look at this very remote object through a false and cloudy medium.

My second condition, necessary to justify me in touching the charter, is, Whether the Company's abuse of their trust, with regard to this great object, be an abuse of great atrocity. I shall beg your permission to consider their conduct in two lights; first the political, and then the commercial. Their political conduct (for distinctness) I divide again into two heads; the external, in which I mean to comprehend their conduct in their federal capacity, as it relates to powers and states independent, or that not long since were such; the other internal, namely, their conduct to the countries either immediately subject to the Company, or to those who, under the apparent government of native sovereigns, are in a state much lower, and much more miserable, than common subjection.

The attention, Sir, which I wish to preserve to method, will not be considered as unnecessary or affected. Nothing else can help me to selection out of the infinite mass of materials which have passed under my eye; or can keep my mind steady to the great leading points I have in view.

With regard therefore to the abuse of the external federal trust, I engage myself to you to make good these three positions: — First, I say, that from Mount Imaus, (or what-

ever else you call that large range of mountains that walls the northern frontier of India,) where it touches us in the latitude of twenty-nine, to Cape Comorin, in the latitude of eight, that there is not a *single* prince, state, or potentate, great or small, in India, with whom they have come into contact, whom they have not sold. I say *sold*, though sometimes they have not been able to deliver according to their bargain. — 2dly, I say, that there is not a *single treaty* they have ever made, which they have not broken. — 3dly, I say, that there is not a single prince, or state, who ever put any trust in the Company, who is not utterly ruined; and that none are in any degree secure or flourishing, but in the exact proportion to their settled distrust and irreconcilable enmity to this nation.

These assertions are universal: I say in the full sense, *universal*. They regard the external and political trust only; but I shall produce others fully equivalent in the internal. For the present, I shall content myself with explaining my meaning: and if I am called on for proof whilst these bills are depending (which I believe I shall not) I will put my finger on the appendixes to the reports, or on papers of record in the House, or the committees, which I have distinctly present to my memory, and which I think I can lay before you at half an hour's warning.

The first potentate sold by the Company for money, was the great mogul — the descendant of Tamerlane. This high personage, as high as human veneration can look at, is by every account amiable in his manners, respectable for his piety according to his mode, and accomplished in all the oriental literature. All this, and the title derived under his *charter*, to all that we hold in India, could not save him from the general *sale*. Money is coined in his name; in his name justice is administered; he is prayed for in every temple through the countries we possess — but he was sold.

It is impossible, Mr. Speaker, not to pause here for a moment, to reflect on the inconstancy of human greatness, and the stupendous revolutions that have happened in our

age of wonders. Could it be believed when I entered into existence, or when you, a younger man, were born, that on this day, in this House, we should be employed in discussing the conduct of those British subjects who had disposed of the power and person of the grand mogul? This is no idle speculation. Awful lessons are taught by it, and by other events of which it is not yet too late to profit.

This is hardly a digression; but I return to the sale of the mogul. Two districts, Corah, and Allahabad, out of his immense grants, were reserved as a royal demesne to the donor of a kingdom, and the rightful sovereign of so many nations. — After withholding the tribute of 260,000*l.* a year, which the Company was, by the charter they had received from this prince, under the most solemn obligation to pay, these districts were sold to his chief minister Sujah ul Dowlah; and, what may appear to some the worst part of the transaction, these two districts were sold for scarcely two years' purchase. The descendant of Tamerlane now stands in need almost of the common necessaries of life; and in this situation we do not even allow him, as bounty, the smallest portion of what we owe him in justice.

The next sale was that of the whole nation of the Rohillas, which the grand salesman, without a pretence of quarrel, and contrary to his own declared sense of duty and rectitude, sold to the same Sujah ul Dowlah. He sold the people to utter *extirpation*, for the sum of four hundred thousand pounds. Faithfully was the bargain performed on our side. Hafiz Rhamet, the most eminent of their chiefs, one of the bravest men of his time, and as famous throughout the East for the elegance of his literature, and the spirit of his poetical compositions (by which he supported the name of Hafiz); as for his courage, was invaded with an army of an hundred thousand men, and an English brigade. This man, at the head of inferior forces, was slain valiantly fighting for his country. His head was cut off, and delivered for money to a barbarian. His wife and children, persons of that rank, were seen begging an handful of rice through the English camp. The whole na-

tion, with inconsiderable exceptions, was slaughtered or banished. The country was laid waste with fire and sword; and that land, distinguished above most others by the cheerful face of paternal government and protected labour, the chosen seat of cultivation and plenty, is now almost throughout a dreary desert, covered with rushes and briars, and jungles full of wild beasts.

The British officer who commanded in the delivery of the people thus sold, felt some compunction at his employment. He represented these enormous excesses to the president of Bengal; for which he received a severe reprimand from the civil governor; and I much doubt whether the breach caused by the conflict, between the compassion of the military and the firmness of the civil governor, be closed at this hour.

In Bengal, Seraja Dowlah was sold to Mir Jaffier; Mir Jaffier was sold to Mir Cossim; and Mir Cossim was sold to Mir Jaffier again. The succession to Mir Jaffier was sold to his eldest son; — another son of Mir Jaffier, Mobarech ul Dowlah, was sold to his step-mother. The Mahratta empire was sold to Ragoba; and Ragoba was sold and delivered to the peishwa of the Mahrattas. Both Ragoba and the peishwa of the Mahrattas were offered to sale to the rajah of Berar. Scindia, the chief of Malva, was offered to sale to the same rajah; and the soubah of the Decan was sold to the great trader Mahomet Ali, nabob of Arcot. To the same nabob of Arcot they sold Hyder Ali and the kingdom of Mysore. To Mahomet Ali they twice sold the kingdom of Tanjore. To the same Mahomet Ali they sold at least twelve sovereign princes, called the Polygars. But to keep things even, the territory of Tinnevelly, belonging to their nabob, they would have sold to the Dutch; and, to conclude the account of sales, their great customer, the nabob of Arcot himself, and his lawful succession, has been sold to his second son, Amir ul Omrah, whose character, views, and conduct, are in the accounts upon your table. It remains with you whether they shall finally perfect this last bargain. All these bargains and

sales were regularly attended with the waste and havoc of the country, always by the buyer, and sometimes by the object of the sale. This was explained to you by the honourable mover, when he stated the mode of paying debts due from the country powers to the Company. An honourable gentleman, who is not now in his place, objected to his jumping near two thousand miles for an example. But the southern example is perfectly applicable to the northern claim, as the northern is to the southern; for throughout the whole space of these two thousand miles, take your stand where you will, the proceeding is perfectly uniform, and what is done in one part will apply exactly to the other.

My second assertion is, that the Company never has made a treaty which they have not broken. This position is so connected with that of the sales of provinces and kingdoms, with the negociation of universal distraction in every part of India, that a very minute detail may well be spared on this point. It has not yet been contended, by any enemy to the reform, that they have observed any public agreement. When I hear that they have done so in any one instance (which hitherto, I confess, I never heard alleged) I shall speak to the particular treaty. The governor-general has even amused himself and the court of directors in a very singular letter to that board, in which he admits he has not been very delicate with regard to public faith; and he goes so far as to state a regular estimate of the sums which the Company would have lost, or never acquired, if the rigid ideas of public faith entertained by his colleagues had been observed. The learned gentleman over against me * has indeed saved me much trouble. On a former occasion he obtained no small credit for the clear and forcible manner in which he stated what we have not forgot, and I hope he has not forgot, that universal systematic breach of treaties which had made the British faith proverbial in the East.

* Mr. Dundas, lord advocate of Scotland.

It only remains, Sir, for me just to recapitulate some heads. — The treaty with the mogul, by which we stipulated to pay him 260,000*l.* annually, was broken. This treaty they have broken, and not paid him a shilling. They broke their treaty with him, in which they stipulated to pay 400,000*l.* a year to the soubah of Bengal. They agreed with the mogul, for services admitted to have been performed, to pay Nudjif Cawn a pension. They broke this article with the rest, and stopped also this small pension. They broke their treaties with the nizam, and with Hyder Ali. As to the Mahrattas, they had so many cross treaties with the states-general of that nation, and with each of the chiefs, that it was notorious that no one of these agreements could be kept without grossly violating the rest. It was observed, that if the terms of these several treaties had been kept, two British armies would at one and the same time have met in the field to cut each other's throats. The wars which desolate India, originated from a most atrocious violation of public faith on our part. In the midst of profound peace, the Company's troops invaded the Mahratta territories, and surprized the island and fortress of Salsette. The Mahrattas nevertheless yielded to a treaty of peace, by which solid advantages were procured to the Company; but this treaty, like every other treaty, was soon violated by the Company. Again the Company invaded the Mahratta dominions. The disaster that ensued gave occasion to a new treaty. The whole army of the Company was obliged, in effect, to surrender to this injured, betrayed, and insulted people. Justly irritated, however, as they were, the terms which they prescribed were reasonable and moderate; and their treatment of their captive invaders of the most distinguished humanity. But the humanity of the Mahrattas was of no power whatsoever to prevail on the Company to attend to the observance of the terms dictated by their moderation. The war was renewed with greater vigour than ever; and such was their insatiable lust of plunder, that they never would have given ear to any terms of peace, if Hyder Ali had not broke through

the Gauts, and rushing like a torrent into the Carnatic, swept away every thing in his career. This was in consequence of that confederacy, which by a sort of miracle united the most discordant powers for our destruction, as a nation in which no other could put any trust, and who were the declared enemies of the human species.

It is very remarkable, that the late controversy between the several presidencies, and between them and the court of directors, with relation to these wars and treaties, has not been, which of the parties might be defended for his share in them; but on which of the parties the guilt of all this load of perfidy should be fixed. But I am content to admit all these proceedings to be perfectly regular, to be full of honour and good faith; and wish to fix your attention solely to that single transaction which the advocates of this system select for so transcendent a merit as to cancel the guilt of all the rest of their proceedings; I mean the late treaties with the Mahrattas.

I make no observation on the total cession of territory, by which they surrendered all they had obtained by their unhappy successes in the war, and almost all they had obtained under the treaty of Poorunder. The restitution was proper, if it had been voluntary and seasonable. I attach on the spirit of the treaty, the dispositions it shewed, the provisions it made for a general peace, and the faith kept with allies and confederates; in order that the House may form a judgment, from this chosen piece, of the use which has been made (and is likely to be made, if things continue in the same hand) of the trust of the federal powers of this country.

It was the wish of almost every Englishman, that the Mahratta peace might lead to a general one; because the Mahratta war was only a part of a general confederacy formed against us on account of the universal abhorrence of our conduct which prevailed in every state and almost in every house in India. Mr. Hastings was obliged to pretend some sort of acquiescence in this general and rational desire. He therefore consented, in order to satisfy the point

of honour of the Mahrattas, that an article should be inserted to admit Hyder Ali to accede to the pacification. But observe, Sir, the spirit of this man (which if it were not made manifest by a thousand things, and particularly by his proceedings with respect to Lord Macartney) would be sufficiently manifest by this—What sort of article think you does he require this essential head of a solemn treaty of general pacification to be? In his instruction to Mr. Anderson, he desires him to admit 'a vague article' in favour of Hyder. Evasion and fraud were the declared basis of the treaty. These 'vague' articles, intended for a more vague performance, are the things which have damned our reputation in India.

Hardly was this vague article inserted, than, without waiting for any act on the part of Hyder, Mr. Hastings enters into a negociation with the Mahratta chief, Scindia, for a partition of the territories of the prince, who was one of the objects to be secured by the treaty. He was to be parcelled out in three parts—one to Scindia; one to the peishwa of the Mahrattas; and the third to the East India Company, or to (the old dealer and chapman) Mahomet Ali.

During the formation of this project, Hyder dies; and before his son could take any one step, either to conform to the tenour of the article, or to contravene it, the treaty of partition is renewed on the old footing, and an instruction is sent to Mr. Anderson to conclude it in form.

A circumstance intervened, during the pendency of this negociation, to set off the good faith of the Company with an additional brilliancy, and to make it sparkle and glow with a variety of splendid faces. General Matthews had reduced that most valuable part of Hyder's dominions called the country of Biddenore. When the news reached Mr. Hastings, he instructed Mr. Anderson to contend for an alteration in the treaty of partition, and to take the Biddenore country out of the common stock which was to be divided, and to keep it for the Company.

The first ground for this variation was its being a sepa-

rate conquest made before the treaty had actually taken place. Here was a new proof given of the fairness, equity, and moderation of the Company. But the second of Mr. Hastings's reasons for retaining the Biddenore as a separate portion, and his conduct on that second ground, is still more remarkable. He asserted that that country could not be put into the partition stock, because General Matthews had received it on the terms of some convention, which might be incompatible with the partition proposed. This was a reason in itself both honourable and solid: and it shewed a regard to faith somewhere, and with some persons. But in order to demonstrate his utter contempt of the plighted faith which was alleged on one part as a reason for departing from it on another, and to prove his impetuous desire for sowing a new war, even in the prepared soil of a general pacification, he directs Mr. Anderson, if he should find strong difficulties impeding the partition, on the score of the subtraction of Biddenore, wholly to abandon that claim, and to conclude the treaty on the original terms. General Matthews's convention was just brought forward sufficiently to demonstrate to the Mahrattas the slippery hold which they had on their new confederate: on the other hand, that convention being instantly abandoned, the people of India were taught, that no terms on which they can surrender to the Company are to be regarded when farther conquests are in view.

Next, Sir, let me bring before you the pious care that was taken of our allies under that treaty which is the subject of the Company's applauses. These allies were Ragonaut Row, for whom we had engaged to find a throne: the Guickwar, (one of the Guzerat princes,) who was to be emancipated from the Mahratta authority, and to grow great by several accessions of dominion: and lastly, the rana of Gohud, with whom we had entered into a treaty of partition for eleven-sixteenths of our joint conquests. Some of these inestimable securities, called *vague* articles, were inserted in favour of them all.

As to the first, the unhappy abdicated peishwa, and pretender to the Mahratta throne, Ragonaut Row, was delivered up to his people, with an article for safety, and some provision. This man, knowing how little vague the hatred of his countrymen was towards him, and well apprized of what black crimes he stood accused, (among which our invasion of his country would not appear the least,) took a mortal alarm at the security we had provided for him. He was thunderstruck at the article in his favour, by which he was surrendered to his enemies. He never had the least notice of the treaty; and it was apprehended that he would fly to the protection of Hyder Ali, or some other, disposed or able to protect him. He was therefore not left without comfort; for Mr. Anderson did him the favour to send a special messenger, desiring him to be of good cheer, and to fear nothing. And his old enemy, Scindia, at our request, sent him a message equally well calculated to quiet his apprehensions.

By the same treaty the Guickwar was to come again, with no better security, under the dominion of the Mahratta state. As to the rana of Gohud, a long negociation depended for giving him up. At first this was refused by Mr. Hastings with great indignation; at another stage it was admitted as proper, because he had shewn himself a most perfidious person. But at length a method of reconciling these extremes was found out, by contriving one of the usual articles in his favour. What I believe will appear beyond all belief, Mr. Anderson exchanged the final ratifications of that treaty, by which the rana was nominally secured in his possessions, in the camp of the Mahratta chief, Scindia, whilst he was (really, and not nominally) battering the castle of Gualior, which we had given, agreeably to treaty, to this deluded ally. Scindia had already reduced the town; and was at the very time, by various detachments, reducing, one after another, the fortresses of our protected ally, as well as in the act of chastising all the rajahs who had assisted Colonel Carnac in his invasion. I have seen in a letter from Calcutta, that the rana of Go-

hud's agent would have represented these hostilities (which went hand in hand with the protecting treaty) to Mr. Hastings; but he was not admitted to his presence.

In this manner the Company has acted with their allies in the Mahratta war. But they did not rest here: the Mahrattas were fearful lest the persons delivered to them by that treaty should attempt to escape into the British territories, and thus might elude the punishment intended for them, and by reclaiming the treaty, might stir up new disturbances. To prevent this, they desired an article to be inserted in the supplemental treaty, to which they had the ready consent of Mr. Hastings, and the rest of the Company's representatives in Bengal. It was this, "that the English and Mahratta governments mutually agree not to afford refuge to any *chiefs, merchants, or other persons,* flying for protection to the territories of the other." This was readily assented to, and assented to without any exception whatever, in favour of our surrendered allies. On their part a reciprocity was stipulated which was not unnatural for a government like the Company's to ask: a government conscious that many subjects had been, and would in future be, driven to fly from its jurisdiction.

To complete the system of pacific intention and public faith, which predominated in these treaties, Mr. Hastings fairly resolved to put all peace, except on the terms of absolute conquest, wholly out of his own power. For, by an article in this second treaty with Scindia, he binds the Company not to make any peace with Tippoo Saib, without the consent of the peishwa of the Mahrattas; and binds Scindia to him by a reciprocal engagement. The treaty between France and England obliges us mutually to withdraw our forces, if our allies in India do not accede to the peace within four months; Mr. Hastings's treaty obliges us to continue the war as long as the peishwa thinks fit. We are now in that happy situation, that the breach of the treaty with France, or the violation of that with the Mahrattas, is inevitable; and we have only to take our choice.

My third assertion, relative to the abuse made of the right of war and peace is, that there are none who have ever confided in us who have not been utterly ruined. The examples I have given of Ragonaut Row, of Guickwar, of the rana of Gohud, are recent. There is proof more than enough in the condition of the mogul; in the slavery and indigence of the nabob of Oude; the exile of the rajah of Benares; the beggary of the nabob of Bengal; the undone and captive condition of the rajah and kingdom of Tanjore; the destruction of the polygars; and lastly, in the destruction of the nabob of Arcot himself, who, when his dominions were invaded, was found entirely destitute of troops, provisions, stores, and, as he asserts, of money, being a million in debt to the Company, and four millions to others: the many millions which he had extorted from so many extirpated princes and their desolated countries having, as he has frequently hinted, been expended for the ground-rent of his mansion-house in an alley in the suburbs of Madras. Compare the condition of all these princes with the power and authority of the Mahratta states; with the independence and dignity of the soubah of the Decan; and the mighty strength, the resources, and the manly struggle of Hyder Ali; and then the House will discover the effects on every power in India, of an easy confidence or of a rooted distrust in the faith of the Company.

These are some of my reasons, grounded on the abuse of the external political trust of that body, for thinking myself not only justified, but bound, to declare against those chartered rights which produce so many wrongs. I should deem myself the wickedest of men, if any vote of mine could contribute to the continuance of so great an evil.

Now, Sir, according to the plan I proposed, I shall take notice of the Company's internal government, as it is exercised first on the dependent provinces, and then as it affects those under the direct and immediate authority of that body. And here, Sir, before I enter into the spirit of their interior government, permit me to observe to you,

upon a few of the many lines of difference which are to be found between the vices of the Company's government, and those of the conquerors who preceded us in India; that we may be enabled a little the better to see our way in an attempt to the necessary reformation.

The several irruptions of Arabs, Tartars, and Persians, into India were, for the greater part, ferocious, bloody, and wasteful in the extreme: our entrance into the dominion of that country, was, as generally, with small comparative effusion of blood; being introduced by various frauds and delusions, and by taking advantage of the incurable, blind, and senseless animosity, which the several country powers bear towards each other, rather than by open force. But the difference in favour of the first conquerors is this: the Asiatic conquerors very soon abated of their ferocity, because they made the conquered country their own. They rose or fell with the rise or fall of the territory they lived in. Fathers there deposited the hopes of their posterity; and children there beheld the monuments of their fathers. Here their lot was finally cast; and it is the natural wish of all, that their lot should not be cast in a bad land. Poverty, sterility, and desolation, are not a recreating prospect to the eye of man; and there are very few who can bear to grow old among the curses of a whole people. If their passion or their avarice drove the Tartar lords to acts of rapacity or tyranny, there was time enough, even in the short life of man, to bring round the ill effects of an abuse of power upon the power itself. If hoards were made by violence and tyranny, they were still domestic hoards; and domestic profusion, or the rapine of a more powerful and prodigal hand, restored them to the people. With many disorders, and with few political checks upon power, nature had still fair play; the sources of acquisition were not dried up; and therefore the trade, the manufactures, and the commerce of the country flourished. Even avarice and usury itself operated, both for the preservation and the employment of national wealth. The husbandman and manufacturer paid

heavy interest, but then they augmented the fund from whence they were again to borrow. Their resources were dearly bought, but they were sure; and the general stock of the community grew by the general effort.

But under the English government all this order is reversed. The Tartar invasion was mischievous; but it is our protection that destroys India. It was their enmity, but it is our friendship. Our conquest there, after twenty years, is as crude as it was the first day. The natives scarcely know what it is to see the grey head of an Englishman. Young men (boys almost) govern there, without society, and without sympathy with the natives. They have no more social habits with the people, than if they still resided in England; nor indeed any species of intercourse but that which is necessary to making a sudden fortune, with a view to a remote settlement. Animated with all the avarice of age, and all the impetuosity of youth, they roll in one after another; wave after wave; and there is nothing before the eyes of the natives but an endless, hopeless prospect of new flights of birds of prey and passage, with appetites continually renewing for a food that is continually wasting. Every rupee of profit made by an Englishman is lost for ever to India. With us are no retributory superstitions, by which a foundation of charity compensates, through ages, to the poor, for the rapine and injustice of a day. With us no pride erects stately monuments which repair the mischiefs which pride had produced, and which adorn a country out of its own spoils. England has erected no churches, no hospitals*, no palaces, no schools; England has built no bridges, made no high roads, cut no navigations, dug out no reservoirs. Every other conqueror of every other description has left some monument, either of state or beneficence, behind him. Were we to be driven out of India this day, nothing would remain to tell that it had been possessed, during the inglo-

* The paltry foundation at Calcutta is scarcely worth naming as an exception.

rious period of our dominion, by any thing better than the ouran-outang or the tiger.

There is nothing in the boys we send to India worse than in the boys whom we are whipping at school, or that we see trailing a pike, or bending over a desk at home. But as English youth in India drink the intoxicating draught of authority and dominion before their heads are able to bear it, and as they are full grown in fortune long before they are ripe in principle, neither nature nor reason have any opportunity to exert themselves for remedy of the excesses of their premature power. The consequences of their conduct, which in good minds (and many of theirs are probably such) might produce penitence or amendment, are unable to pursue the rapidity of their flight. Their prey is lodged in England; and the cries of India are given to seas and winds, to be blown about, in every breaking up of the monsoon, over a remote and unhearing ocean. In India all the vices operate by which sudden fortune is acquired; in England are often displayed by the same persons the virtues which dispense hereditary wealth. Arrived in England, the destroyers of the nobility and gentry of a whole kingdom will find the best company in this nation, at a board of elegance and hospitality. Here the manufacturer and husbandman will bless the just and punctual hand that in India has torn the cloth from the loom, or wrested the scanty portion of rice and salt from the peasant of Bengal, or wrung from him the very opium in which he forgot his oppressions and his oppressor. They marry into your families; they enter into your senate; they ease your estates by loans; they raise their value by demand; they cherish and protect your relations which lie heavy on your patronage; and there is scarcely an house in the kingdom that does not feel some concern and interest that makes all reform of our eastern government appear officious and disgusting; and on the whole, a most discouraging attempt. In such an attempt you hurt those who are able to return kindness, or to resent injury. If you succeed, you save those who cannot so

much as give you thanks. All these things shew the difficulty of the work we have on hand: but they shew its necessity too. Our Indian government is in its best state a grievance. It is necessary that the correctives should be uncommonly vigorous; and the work of men, sanguine, warm, and even impassioned in the cause. But it is an arduous thing to plead against abuses of a power which originates from your own country, and affects those whom we are used to consider as strangers.

I shall certainly endeavour to modulate myself to this temper; though I am sensible that a cold style of describing actions which appear to me in a very affecting light, is equally contrary to the justice due to the people, and to all genuine human feelings about them. I ask pardon of truth and nature for this compliance: but I shall be very sparing of epithets either to persons or things. It has been said (and, with regard to one of them, with truth) that Tacitus and Machiavel, by their cold way of relating enormous crimes, have in some sort appeared not to disapprove them; that they seem a sort of professors of the art of tyranny, and that they corrupt the minds of their readers, by not expressing the detestation and horror that naturally belong to horrible and detestable proceedings. But we are in general, Sir, so little acquainted with Indian details; the instruments of oppression under which the people suffer are so hard to be understood; and even the very names of the sufferers are so uncouth and strange to our ears, that it is very difficult for our sympathy to fix upon these objects. I am sure that some of us have come down stairs from the committee-room, with impressions on our minds, which to us were the inevitable results of our discoveries; yet if we should venture to express ourselves, in the proper language of our sentiments, to other gentlemen, not at all prepared to enter into the cause of them, nothing could appear more harsh and dissonant, more violent and unaccountable, than our language and behaviour. All these circumstances are not, I confess, very favourable to the idea of our attempting to govern India at all. But there we are; there we are placed by the Sovereign Dis-

poser; and we must do the best we can in our situation. The situation of man is the preceptor of his duty.

Upon the plan which I laid down, and to which I beg leave to return, I was considering the conduct of the Company to those nations which are indirectly subject to their authority. The most considerable of the dependent princes is the nabob of Oude. My right honourable friend *, to whom we owe the remedial bills on your table, has already pointed out to you, in one of the reports, the condition of that prince, and as it stood in the time he alluded to. I shall only add a few circumstances that may tend to awaken some sense of the manner in which the condition of the people is affected by that of the prince, and involved in it; and to shew you, that when we talk of the sufferings of princes, we do not lament the oppression of individuals; and that in these cases the high and the low suffer together.

In the year 1779, the nabob of Oude represented, through the British resident at his court, that the number of the Company's troops stationed in his dominions was a main cause of his distress; and that all those which he was not bound by treaty to maintain should be withdrawn, as they had greatly diminished his revenue, and impoverished his country. I will read you, if you please, a few extracts from these representations.

He states, "that the country and cultivation are abandoned; and this year in particular, from the excessive drought of the season, deductions of many lacks having been allowed to the farmers, who are still left unsatisfied;" and then he proceeds with a long detail of his own distress, and that of his family, and all his dependents; and adds, "that the new raised brigade is not only quite useless to my government, but is moreover the cause of much loss, both in revenues and customs. The detached body of troops under European officers bring nothing *but confusion to the affairs of my government, and are entirely their own masters.*" Mr. Middleton, Mr. Hastings's confidential resident,

* Mr. Fox.

vouches for the truth of this representation, in its fullest extent. "I am concerned to confess, that there is too good ground for this plea. *The misfortune has been general throughout the whole of the vizier's* [the nabob of Oude] *dominions*, obvious to every body; and so fatal have been its consequences, that no person of either credit or character, would enter into engagements with government for farming the country." He then proceeds to give strong instances of the general calamity, and its effects.

It was now to be seen what steps the governor-general and council took for the relief of this distressed country, long labouring under the vexations of men, and now stricken by the hand of God. The case of a general famine is known to relax the severity even of the most rigorous government: Mr. Hastings does not deny, or shew the least doubt of the fact. The representation is humble, and almost abject. On this representation from a great prince of the distress of his subjects, Mr. Hastings falls into a violent passion; such (as it seems) would be unjustifiable in any one who speaks of any part of *his* conduct. He declares, "that the *demands*, the *tone* in which they were asserted, and the *season* in which they were made, are all equally alarming, and appear to him to require an adequate degree of firmness in this board, in *opposition* to them." He proceeds to deal out very unreserved language, on the person and character of the nabob and his ministers. He declares, that in a division between him and the nabob, "*the strongest must decide.*" With regard to the urgent and instant necessity, from the failure of the crops, he says, "that *perhaps* expedients *may be found* for affording a *gradual* relief from the burthen of which he so heavily complains, and it shall be my endeavour to seek them out:" and lest he should be suspected of too much haste to alleviate sufferings, and to remove violence, he says, "that these must be *gradually* applied, and their complete *effect* may be distant; and this I conceive *is all* he can claim of right."

This complete effect of his lenity is distant indeed. Rejecting this demand, (as he calls the nabob's abject sup-

plication,) he attributes it, as he usually does all things of the kind, to the division in their government; and says, "this is a powerful motive with *me*" (however inclined I might be, *upon any other occasion*, to yield to some part of his demand) to give them an *absolute and unconditional refusal* upon the present: and even *to bring to punishment, if my influence can produce that effect, those incendiaries who have endeavoured to make themselves the instruments of division between us.*"

Here, Sir, is much heat and passion; but no more consideration of the distress of the country, from a failure of the means of subsistence, and (if possible) the worse evil of an useless and licentious soldiery, than if they were the most contemptible of all trifles. A letter is written in consequence, in such a style of lofty despotism, as I believe has hitherto been unexampled and unheard-of in the records of the East. The troops were continued. The *gradual* relief, whose effect was to be so *distant*, has *never* been substantially and beneficially applied — and the country is ruined.

Mr. Hastings, two years after, when it was too late, saw the absolute necessity of a removal of the intolerable grievance of this licentious soldiery, which, under pretence of defending it, held the country under military execution. A new treaty and arrangement, according to the pleasure of Mr. Hastings, took place; and this new treaty was broken in the old manner, in every essential article. The soldiery were again sent, and again set loose. The effect of all his manœuvres, from which it seems he was sanguine enough to entertain hopes, upon the state of the country, he himself informs us, "the event has proved the *reverse* of these hopes, and *accumulation of distress, debasement, and dissatisfaction* to the nabob, and *disappointment and disgrace to me.* — Every measure (which he had himself proposed) has been *so conducted* as to give him cause of displeasure; there are no officers established by which his affairs could be regularly conducted; mean, incapable, and indigent men have been appointed. A number

of the districts without authority, and without the means of personal protection; some of them have been murdered by the zemindars, and those zemindars, instead of punishment, have been permitted to retain their zemindaries, with independent authority; *all* the other zemindars suffered to rise up in rebellion, and to insult the authority of the sircar, without any attempt made to suppress them; and the Company's debt, instead of being discharged by the assignments and extraordinary sources of money provided for that *purpose, is likely to exceed even the amount at which it stood at the time in which the arrangement with his excelleney was concluded.*" The House will smile at the resource on which the directors take credit as such a certainty in their curious account.

This is Mr. Hastings's own narrative of the effects of his own settlement. This is the state of the country which we have been told is in perfect peace and order; and, what is curious, he informs us, that *every part of this was foretold to him in the order and manner in which it happened*, at the very time he made his arrangement of men and measures.

The invariable course of the Company's policy is this: either they set up some prince too odious to maintain himself without the necessity of their assistance; or they soon render him odious, by making him the instrument of their government. In that case troops are bountifully sent to him to maintain his authority. That he should have no want of assistance, a civil gentleman, called a resident, is kept at his court, who under pretence of providing duly for the pay of these troops, gets assignments on the revenue into his hands. Under his provident management, debts soon accumulate; new assignments are made for these debts; until, step by step, the whole revenue, and with it the whole power of the country, is delivered into his hands. The military do not behold without a virtuous emulation the moderate gains of the civil department. They feel that, in a country driven to habitual rebellion by the civil government, the military is necessary; and they will not permit their services to go unrewarded. Tracts of

country are delivered over to their discretion. Then it is found proper to convert their commanding officers into farmers of revenue. Thus, between the well-paid civil, and well-rewarded military establishment, the situation of the natives may be easily conjectured. The authority of the regular and lawful government is every where and in every point extinguished. Disorders and violences arise; they are repressed by other disorders and other violences. Wherever the collectors of the revenue, and the farming colonels and majors move, ruin is about them, rebellion before and behind them. The people in crowds fly out of the country; and the frontier is guarded by lines of troops, not to exclude an enemy, but to prevent the escape of the inhabitants.

By these means, in the course of not more than four or five years, this once opulent and flourishing country, which, by the accounts given in the Bengal consultations, yielded more than three crore of sicca rupees, that is, above three millions sterling annually, is reduced, as far as I can discover, in a matter purposely involved in the utmost perplexity, to less than 1,300,000*l.*, and that exacted by every mode of rigour that can be devised. To complete the business, most of the wretched remnants of this revenue are mortgaged, and delivered into the hands of the usurers at Benares (for there alone are to be found some lingering remains of the ancient wealth of these regions) at an interest of near *thirty per cent. per annum.*

The revenues in this manner failing, they seized upon the estates of every person of eminence in the country, and under the name of *resumption*, confiscated their property. I wish, Sir, to be understood universally and literally, when I assert, that there is not left one man of property and substance for his rank, in the whole of these provinces, in provinces which are nearly the extent of England and Wales taken together. Not one landholder, not one banker, not one merchant, not one even of those who usually perish last, the *ultimum moriens* in a ruined state, not one farmer of revenue.

One country for a while remained, which stood as an island in the midst of the grand waste of the Company's dominion. My right honourable friend, in his admirable speech on moving the bill, just touched the situation, the offences, and the punishment of a native prince, called Fizulla Khân. This man, by policy and force, had protected himself from the general extirpation of the Rohilla chiefs. He was secured (if that were any security) by a treaty. It was stated to you, as it was stated by the enemies of that unfortunate man — "that the whole of his country is what the whole country of the Rohillas was, cultivated like a garden, without one neglected spot in it." Another accuser says, "Fizulla Khân, though a bad soldier, (that is the true source of his misfortune,) has approved himself a good aumil; having, it is supposed, in the course of a few years, at least *doubled* the population and revenue of his country." — In another part of the correspondence, he is charged with making his country an asylum for the oppressed peasants, who fly from the territories of Oude. The improvement of his revenue, arising from this single crime, (which Mr. Hastings considers as tantamount to treason,) is stated at 150,000*l.* a year.

Dr. Swift somewhere says, that he who could make two blades of grass grow where but one grew before, was a greater benefactor to the human race than all the politicians that ever existed. This prince, who would have been deified by antiquity, who would have been ranked with Osiris, and Bacchus, and Ceres, and the divinities most propitious to men, was, for those very merits, by name attacked by the Company's government, as a cheat, a robber, a traitor. In the same breath in which he was accused as a rebel, he was ordered at once to furnish 5,000 horse. On delay, or (according to the technical phrase, when any remonstrance is made to them) '*on evasion*,' he was declared a violator of treaties, and every *thing* he had was to be taken from him. Not one word, however, of horse in this treaty.

The territory of this Fizulla Khân, Mr. Speaker, is less than the county of Norfolk. It is an inland country, full

700 miles from any sea-port, and not distinguished for any one considerable branch of manufacture whatsoever. From this territory several very considerable sums had at several times been paid to the British resident. The demand of cavalry, without a shadow or decent pretext of right, amounted to 300,000*l.* a year more, at the lowest computation; and it is stated, by the last person sent to negociate, as a demand of little use, if it could be complied with; but that the compliance was impossible, as it amounted to more than his territories could supply, if there had been no other demand upon him — 300,000*l.* a year from an inland country not so large as Norfolk!

The thing most extraordinary was to hear the culprit defend himself from the imputation of his virtues, as if they had been the blackest offences. He extenuated the superior cultivation of his country; he denied its population; he endeavoured to prove that he had often sent back the poor peasant that sought shelter with him. — I can make no observation on this.

After a variety of extortions and vexations, too fatiguing to you, too disgusting to me, to go through with, they found "that they ought to be in a better state to warrant forcible means;" they therefore contented themselves with a gross sum of 150,000*l.* for their present demand. They offered him indeed an indemnity from their exactions in future for 300,000*l.* more. But he refused to buy their securities: pleading (probably with truth) his poverty; but if the plea were not founded, in my opinion very wisely; not choosing to deal any more in that dangerous commodity of the Company's faith; and thinking it better to oppose distress and unarmed obstinacy to uncoloured exaction, than to subject himself to be considered as a cheat, if he should make a treaty in the least beneficial to himself.

Thus they executed an exemplary punishment on Fizulla Khân for the culture of his country. But, conscious that the prevention of evils is the great object of all good regulation, they deprived him of the means of increasing that criminal cultivation in future, by exhausting his coffers;

and, that the population of his country should no more be a standing reproach and libel on the Company's government, they bound him, by a positive engagement, not to afford any shelter whatsoever to the farmers and labourers who should seek refuge in his territories, from the exactions of the British residents in Oude. When they had done all this effectually, they gave him a full and complete acquittance from all charges of rebellion, or of any intention to rebel, or of his having originally had any interest in, or any means of rebellion.

These intended rebellions are one of the Company's standing resources. When money has been thought to be heaped up any where, its owners are universally accused of rebellion, until they are acquitted of their money and their treasons at once. The money once taken, all accusation, trial, and punishment ends. It is so settled a resource, that I rather wonder how it comes to be omitted in the director's account; but I take it for granted this omission will be supplied in their next edition.

The Company stretched this resource to the full extent, when they accused two old women, in the remotest corner of India (who could have no possible view or motive to raise disturbances) of being engaged in rebellion, with an intent to drive out the English nation, in whose protection, purchased by money and secured by treaty, rested the sole hope of their existence. But the Company wanted money, and the old women *must* be guilty of a plot. They were accused of rebellion, and they were convicted of wealth. Twice had great sums been extorted from them, and as often had the British faith guaranteed the remainder. A body of British troops, with one of the military farmers-general at their head, was sent to seize upon the castle in which these helpless women resided. Their chief eunuchs, who were their agents, their guardians, protectors, persons of high rank according to the eastern manners, and of great trust, were thrown into dungeons, to make them discover their hidden treasures; and there they lie at present. The lands assigned for the maintenance of the women

were seized and confiscated. Their jewels and effects were taken, and set up to a pretended auction in an obscure place, and bought at such a price as the gentlemen thought proper to give. No account has even been transmitted of the articles or produce of this sale. What money was obtained is unknown, or what terms were stipulated for the maintenance of these despoiled and forlorn creatures; for by some particulars it appears as if an engagement of the kind was made.

Let me here remark, once for all, that though the act of 1773 requires that an account of all proceedings should be diligently transmitted, that this, like all the other injunctions of the law, is totally despised; and that half at least of the most important papers are intentionally withheld.

I wish you, Sir, to advert particularly, in this transaction, to the quality and the numbers of the persons spoiled, and the instrument by whom that spoil was made. These ancient matrons called the begums, or princesses, were of the first birth and quality in India; the one mother, the other wife, of the late nabob of Oude, Sujah Dowlah, a prince possessed of extensive and flourishing dominions, and the second man in the Mogul empire. This prince (suspicious, and not unjustly suspicious, of his son and successor) at his death committed his treasures and his family to the British faith. That family and household consisted of *two thousand* women; to which were added two other seraglios of near kindred, and said to be extremely numerous, and (as I am well informed) of about fourscore of the nabob's children, with all the eunuchs, the ancient servants, and a multitude of the dependents of his splendid court. These were all to be provided, for present maintenance and future establishment, from the lands assigned as dower, and from the treasures which he left to these matrons, in trust for the whole family.

So far as to the objects of the spoil. The *instrument* chosen by Mr. Hastings to despoil the relict of Sujah Dowlah was *her own son*, the reigning nabob of Oude. It was the pious hand of a son that was selected to tear from

his mother and grandmother the provision of their age, the maintenance of his brethren, and of all the ancient household of his father. [Here a laugh from some young members.] — The laugh is *seasonable*, and the occasion decent and proper.

By the last advices, something of the sum extorted remained unpaid. The women in despair refused to deliver more, unless their lands are restored, and their ministers released from prison: but Mr. Hastings and his council, steady to their point, and consistent to the last in their conduct, write to the resident to stimulate the son to accomplish the filial acts he had brought so near to their perfection. "We desire," say they, in their letter to the resident (written so late as March last) "that you will inform us if any, and what means, have been taken for recovering the balance due from the begum [princess] at Fizabad; and that, if necessary, you *recommend* it to the vizier to enforce *the most effectual means* for that purpose."

What their effectual means of enforcing demands on women of high rank and condition are, I shall shew you, Sir, in a few minutes; when I represent to you another of these plots and rebellions, which *always*, in India, though so *rarely* any where else, are the offspring of an easy condition, and hoarded riches.

Benares is the capital city of the Indian religion. It is regarded as holy by a particular and distinguished sanctity; and the Gentoos in general think themselves as much obliged to visit it once in their lives as the Mahometans to perform their pilgrimage to Mecca. By this means that city grew great in commerce and opulence; and so effectually was it secured by the pious veneration of that people, that in all wars and in all violences of power, there was so sure an asylum, both for poverty and wealth (as it were under a divine protection), that the wisest laws and best assured free constitution could not better provide for the relief of the one, or the safety of the other; and this tranquillity influenced to the greatest degree the prosperity of all the country, and the territory of which it was the capital. The

interest of money there was not more than half the usual rate in which it stood in all other places. The reports have fully informed you of the means and of the terms in which this city and the territory called Gazipour, of which it was the head, came under the sovereignty of the East India Company.

If ever there was a subordinate dominion pleasantly circumstanced to the superior power, it was this; a large rent or tribute, to the amount of 260,000*l.* a year was paid in monthly instalments with the punctuality of a dividend at the bank. If ever there was a prince who could not have an interest in disturbances, it was its sovereign, the rajah Cheit Sing. He was in possession of the capital of his religion, and a willing revenue was paid by the devout people who resorted to him from all parts. His sovereignty and his independence, except his tribute, was secured by every tie. His territory was not much less than half of Ireland, and displayed in all parts a degree of cultivation, ease, and plenty, under his frugal and paternal management, which left him nothing to desire, either for honour or satisfaction.

This was the light in which this country appeared to almost every eye. But Mr. Hastings beheld it askance. Mr. Hastings tells us that it was *reported* of this Cheit Sing, that his father left him a million sterling, and that he made annual accessions to the hoard. Nothing could be so obnoxious to indigent power. So much wealth could not be innocent. The House is fully acquainted with the unfounded and unjust requisitions which were made upon this prince. The question has been most ably and conclusively cleared up in one of the reports of the select committee, and in the answer of the court of directors to an extraordinary publication against them by their servant, Mr. Hastings. But I mean to pass by these exactions, as if they were perfectly just and regular; and, having admitted them, I take what I shall now trouble you with, only as it serves to shew the spirit of the Company's government, the mode in which it is carried on, and the maxims on which it proceeds.

Mr. Hastings, from whom I take the doctrine, endeavours to prove that Cheit Sing was no sovereign prince; but a mere zemindar or common subject, holding land by rent. If this be granted to him, it is next to be seen under what terms he is of opinion such a landholder, that is a British subject, holds his life and property under the Company's government. It is proper to understand well the doctrines of the person whose administration has lately received such distinguished approbation from the Company. His doctrine is — "that the Company, or the *person delegated by it*, holds *an absolute* authority over such zemindars; — that he [such a subject] owes *an implicit* and *unreserved* obedience to its authority, at the *forfeiture* even of his *life and property*, at the DISCRETION of those who held or *fully represented* the sovereign authority; and that *these* rights are *fully* delegated *to him* Mr. Hastings."

Such is a British governor's idea of the condition of a great zemindar holding under a British authority: and this kind of authority he supposes fully delegated to *him*; though no such delegation appears in any commission, instruction, or act of parliament. At his *discretion* he may demand, of the substance of any zemindar over and above his rent or tribute, even what he pleases, with a sovereign authority; and if he does not yield an *implicit, unreserved* obedience to all his commands, he forfeits his lands, his life, and his property, at Mr. Hastings's *discretion*. But, extravagant, and even frantic as these positions appear, they are less so than what I shall now read to you; for he asserts, that if any one should urge an exemption from more than a stated payment, or should consider the deeds, which passed between him and the board, "as bearing *the quality and force* of a treaty between equal states," he says, "that such an opinion is itself criminal to the state of which he is a subject; and that he was himself amenable to its justice, if he gave *countenance* to such a *belief*." Here is a new species of crime invented, that of countenancing a belief — but a belief of what? A belief of that which the court of directors,

Hasting's masters, and a committee of this House, have decided as this prince's indisputable right.

But supposing the rajah of Benares to be a mere subject, and that subject a criminal of the highest form; let us see what course was taken by an upright English magistrate. Did he cite this culprit before his tribunal? Did he make a charge? Did he produce witnesses? These are not forms; they are forms of substantial and eternal justice. No, not a word of all this. Mr. Hastings concludes him, *in his own mind*, to be guilty; he makes this conclusion on reports, on hearsays, on appearances, on rumours, on conjectures, on presumptions; and even these never once hinted to the party, nor publicly to any human being till the whole business was done.

But the governor tells you his motive for this extraordinary proceeding, so contrary to every mode of justice towards either a prince or a subject, fairly and without disguise, and he puts into your hands the key of his whole conduct: — "I will suppose, for a moment, that I have acted with unwarrantable rigour towards Cheit Sing, and even with injustice. Let my MOTIVE be consulted. I left Calcutta, impressed with a belief that *extraordinary means* were necessary, and those exerted with a *steady hand*, to preserve the Company's *interests from sinking under the accumulated weight which oppressed them.* I saw a *political necessity* for curbing the *overgrown* power of a great member of their dominion, and for *making it contribute to the relief of their pressing exigencies.*" This is plain speaking; after this, it is no wonder that the rajah's wealth and his offence, the necessities of the judge, and the opulence of the delinquent, are never separated, through the whole of Mr. Hastings's apology. "The justice and *policy* of exacting *a large pecuniary mulct.*" The resolution "*to draw from his guilt* the means *of relief to the Company's distresses.*" His determination "to make him *pay largely* for his pardon, or to execute a severe vengeance for past delinquency." That "as his *wealth was great*, and the *Company's exigencies* pressing, he thought it a measure of justice and policy to

exact from him a large pecuniary mulct for *their relief*." — "The sum" (says Mr. Wheler, bearing evidence, at his desire, to his intentions) "to which the governor declared his resolution to extend his fine, was forty or fifty lacks, *that is, four or five hundred thousand pounds*; and that if he refused, he was to be removed from his zemindary entirely; or by taking possession of his forts, to obtain *out of the treasure deposited in them*, the above sum for the Company.

Crimes so convenient, crimes so politic, crimes so necessary, crimes so alleviating of distress, can never be wanting to those who use no process, and who produce no proofs.

But there is another serious part (what is not so?) in this affair. Let us suppose that the power for which Mr. Hastings contends, a power which no sovereign ever did or ever can vest in any of his subjects, namely, his own sovereign authority, to be conveyed by the act of parliament to any man or body of men whatsoever; it certainly was never given to Mr. Hastings. The powers given by the act of 1773 were formal and official; they were given not to the governor-general but to the major vote of the board, as a board, on discussion amongst themselves, in their public character and capacity; and their acts in that character and capacity were to be ascertained by records and minutes of council. The despotic acts exercised by Mr. Hastings were done merely in his private character; and, if they had been moderate and just, would still be the acts of an usurped authority, and without any one of the legal modes of proceeding which could give him competence for the most trivial exertion of power. There was no proposition or deliberation whatsoever in council, no minute on record, by circulation or otherwise, to authorize his proceedings; no delegation of power to impose a fine, or to take any step to deprive the rajah of Benares of his government, his property, or his liberty. The minutes of consultation assign to his journey a totally different object, duty, and destination. Mr. Wheler, at his desire, tells us long after, that he had a confidential conversation with him on various subjects, of which this was the principal, in which Mr.

Hastings notified to him his secret intentions: "and that he *bespoke* his support of the measures which he intended to pursue towards him (the rajah)." This confidential discourse, and *bespeaking* of support, could give him no power, in opposition to an express act of parliament, and the whole tenour of the orders of the court of directors.

In what manner the powers thus usurped were employed is known to the whole world. All the House knows, that the design on the rajah proved as unfruitful as it was violent. The unhappy prince was expelled, and his more unhappy country was enslaved and ruined; but not a rupee was acquired. Instead of treasure to recruit the Company's finances, wasted by their wanton wars and corrupt jobs, they were plunged into a new war which shook their power in India to its foundation; and, to use the governor's own happy simile, might have dissolved it like a magic structure, if the talisman had been broken.

But the success is no part of my consideration, who should think just the same of this business, if the spoil of one rajah had been fully acquired, and faithfully applied to the destruction of twenty other rajahs. Not only the arrest of the rajah in his palace was unnecessary and unwarrantable, and calculated to stir up any manly blood which remained in his subjects; but the despotic style, and the extreme insolence of language and demeanour, used to a person of great condition among the politest people in the world, was intolerable. Nothing aggravates tyranny so much as contumely. '*Quicquid superbia in contumeliis*' was charged by a great man of antiquity, as a principal head of offence against the governor-general of that day. The unhappy people were still more insulted. A relation, but an *enemy* to the family, a notorious robber and villain, called Ussaun Sing, kept as a hawk in a mew, to fly upon this nation, was set up to govern there, instead of a prince honoured and beloved. But when the business of insult was accomplished, the revenue was too serious a concern to be entrusted to such hands. Another was set up in his place, as guardian to an infant.

But here, Sir, mark the effect of all these *extraordinary* means, of all this policy and justice. The revenues which had been hitherto paid with such astonishing punctuality, fell into arrear. The new prince guardian was deposed without ceremony; and with as little, cast into prison. The government of that once happy country has been in the utmost confusion ever since such good order was taken about it. But to complete the contumely offered to this undone people, and to make them feel their servitude in all its degradation, and all its bitterness, the government of their sacred city, the government of that Benares which had been so respected by Persian and Tartar conquerors, though of the Mussulman persuasion, that even in the plenitude of their pride, power, and bigotry, no magistrate of that sect entered the place, was now delivered over by English hands to a Mahometan; and an Ali Ibrahim Khân was introduced, under the Company's authority, with power of life and death, into the sanctuary of the Gentoo religion.

After this, the taking of a slight payment, cheerfully made by pilgrims to a chief of their own rights, was represented as a mighty benefit. It remains only to shew, through the conduct in this business, the spirit of the Company's government, and the respect they pay towards other prejudices not less regarded in the East than those of religion; I mean the reverence paid to the female sex in general, and particularly to women of high rank and condition. During the general confusion of the country of Gazypore, Panna, the mother of Cheit Sing, was lodged with her train in a castle called Bidgé Gur, in which were likewise deposited a large portion of the treasures of her son, or more probably her own. To whomsoever they belonged was indifferent; for though no charge of rebellion was made on this woman (which was rather singular, as it would have cost nothing) they were resolved to secure her with her fortune. The castle was besieged by Major Popham.

There was no great reason to apprehend that soldiers ill paid, that soldiers who thought they had been defrauded

of their plunder on former services of the same kind, would not have been sufficiently attentive to the spoil they were expressly come for; but the gallantry and generosity of the profession was justly suspected, as being likely to set bounds to military rapaciousness. The Company's first civil magistrate discovered the greatest uneasiness lest the women should have any thing preserved to them. Terms tending to put some restraint on military violence were granted. He writes a letter to Mr. Popham, referring to some letter written before to the same effect, which I do not remember to have seen; but it shews his anxiety on this subject: hear himself: — "I think *every* demand she has made on you, except that of safety and respect to her person, is unreasonable. If the reports brought to me are true, your rejecting her offers, or *any negociation*, would soon obtain you the fort upon your own terms. I apprehend she will attempt to *defraud the captors of a considerable part of their booty, by being suffered to retire without examination*. But this is your concern, not mine. I should *be very sorry* that your officers and soldiers lost any part of the reward to which they are so well entitled; but you must be the best judge of the *promised* indulgence to the ranny: what you have engaged for, I will certainly ratify; but as to suffering the ranny to hold the purgunna of Hurlich, or any other zemindary, without being subject to the authority of the zemindar, *or any lands whatsoever*, or indeed making *any* condition with her for a *provision*, I will *never consent*."

Here your governor stimulates a rapacious and licentious soldiery to the personal search of women, lest these unhappy creatures should avail themselves of the protection of their sex to secure any supply for their necessities; and he positively orders that no stipulation should be made for any provision for them. The widow and mother of a prince, well informed of her miserable situation, and the cause of it, a woman of this rank became a suppliant to the domestic servant of Mr. Hastings (they are his own words that I read;) "imploring his intercession, that she

may be relieved *from the hardships and dangers of her present situation*; and offering to surrender the fort, and the *treasure and valuable effects contained in it*, provided she can be assured *of safety and protection to her person and honour*, and to that of her family and attendants." He is so good as to consent to this, "provided she surrenders every thing of value, with the reserve *only* of such articles as *you* shall think *necessary* to her condition, or as you *yourself* shall be disposed to indulge her with. But should she refuse to execute the promise she has made, or delay it beyond the term of twenty-four hours, it is *my positive* injunction, that you immediately put a stop to any further intercourse or negociation with her, and on no pretext renew it. If she disappoints or *trifles* with me, after I have subjected *my duan* to the disgrace of returning ineffectually, and of course myself to discredit, I shall consider it as a *wanton* affront and dignity *which I can never forgive*, nor will I grant her *any* conditions whatever, but leave her exposed *to those* dangers which she has chosen to risk, rather than trust to the clemency and generosity of our government. I think she cannot be ignorant of these consequences, and will not venture to incur them; and it is for this reason I place a dependence on her offers, and have consented to send my duan to her." The dreadful secret hinted at by the merciful governor in the latter part of the letter, is well understood in India; where those who suffer corporeal indignities, generally expiate the offences of others with their own blood. However, in spite of all these, the temper of the military did some way or other operate. They came to terms which have never been transmitted. It appears that a fifteenth per cent. of the plunder was reserved to the captives, of which the unhappy mother of the prince of Benares was to have a share. This ancient matron, born to better things [a laugh from certain young gentlemen] — I see no cause for this mirth. A good author of antiquity reckons among the calamities of his time, *Nobilissimarum fœminarum exilia et fugas*. I say, Sir, this ancient lady was compelled to quit her house with 300

helpless women, and a multitude of children in her train; but the lower sort in the camp it seems could not be restrained. They did not forget the good lessons of the governor-general. They were unwilling "to be defrauded of a considerable part of their booty, by suffering them to pass without examination." — They examined them, Sir, with a vengeance, and the sacred protection of that awful character, Mr. Hastings's maitre d'hotel, could not secure them from insult and plunder. Here is Popham's narrative of the affair: — "The ranny came out of the fort, with her family and dependents, the 10th at night, owing to which, such attention was not paid to her as I wished; and I am exceedingly sorry to inform you, that the *licentiousness of our followers was beyond the bounds of controul; for, notwithstanding all I could do, her people were plundered on the road of most of the things which they brought out of the fort, by which means one of the articles of surrender has been much infringed.* The distress I have felt upon this occasion cannot be expressed, and can only be allayed by a firm performance of the other articles of the treaty, which I shall make it my business to enforce.

"The suspicions which the officers had of treachery, and the delay made to our getting possession, had enraged them, as well as the troops, so much, that the treaty was at first regarded as void, but this determination was soon succeeded by pity and compassion for the unfortunate besieged." — After this comes, in his due order, Mr. Hastings; who is full of sorrow and indignation, &c. &c. &c. according to the best and most authentic precedents established upon such occasions.

The women being thus disposed of, that is, completely despoiled, and pathetically lamented, Mr. Hastings at length recollected the great object of his enterprize, which, during his zeal lest the officers and soldiers should lose any part of their reward, he seems to have forgot; that is to say, "to draw from the rajah's guilt the means of relief to the Company's distresses." This was to be the strong hold of his defence. This compassion to the Company, he knew

by experience would sanctify a great deal of rigour towards the natives. But the military had distresses of their own, which they considered first. Neither Mr. Hastings's authority, nor his supplications, could prevail on them to assign a shilling to the claim he made on the part of the Company. They divided the booty amongst themselves. Driven from his claim, he was reduced to petition for the spoil as a loan. But the soldiers were too wise to venture as a loan what the borrower claimed as a right. In defiance of all authority, they shared among themselves about 200,000*l.* sterling, besides what had been taken from the women.

In all this there is nothing wonderful. We may rest assured, that when the maxims of any government establish among its resources extraordinary means, and those exerted with a strong hand, that strong hand will provide those extraordinary means for *itself*. Whether the soldiers had reason or not (perhaps much might be said for them) certain it is, the military discipline of India was ruined from that moment; and the same rage for plunder, the same contempt of subordination, which blasted all the hopes of extraordinary means from your strong hand at Benares, have very lately lost you an army in Mysore. This is visible enough from the accounts in the last Gazette.

There is no doubt but that the country and city of Benares, now brought into the same order, will very soon exhibit, if it does not already display, the same appearances with those countries and cities which are under better subjection. A great master, Mr. Hastings, has himself been at the pains of drawing a picture of one of these countries, I mean the province and city of Farruckabad. There is no reason to question his knowledge of the facts; and his authority (on this point at least) is above all exception, as well for the state of the country as for the cause. In his minute of consultation, Mr. Hastings describes forcibly the consequences which arise from the degradation into which we have sunk the native government. "The total want (says he) of all order, regularity, or authority, in his (the nabob of Farruckabad's) government, and to which, among other

obvious causes, it may no doubt be owing that the country of Farruckabad is become *almost an entire waste, without cultivation or inhabitants;* that the capital, which, but a very short time ago, was distinguished as one of the most populous and opulent commercial cities in Hindostan, at present exhibits nothing but *scenes of the most wretched poverty, desolation and misery;* and that the *nabob himself,* though in the possession of a tract of country which, with only common care, is notoriously capable of yielding an annual revenue of between thirty and forty lacks, (three or four hundred thousand pounds,) with *no military establishment* to maintain, scarcely commands *the means of a bare subsistence.*"

This is a true and unexaggerated picture, not only of Farruckabad, but of at least three fourths of the country which we possess, or rather lay waste, in India. Now, Sir, the House will be desirous to know for what purpose this picture was drawn. It was for a purpose, I will not say laudable, but necessary, that of taking the unfortunate prince and his country out of the hands of a sequestrator sent thither by the nabob of Oude, the mortal enemy of the prince thus ruined, and to protect him by means of a British resident, who might carry his complaints to the superior resident at Oude, or transmit them to Calcutta. But mark how the reformer persisted in his reformation. The effect of the measure was better than was probably expected. The prince began to be at ease; the country began to recover; and the revenue began to be collected. These were alarming circumstances. Mr. Hastings not only recalled the resident, but he entered into a formal stipulation with the nabob of Oude, never to send an English subject again to Farruckabad; and thus the country, described as you have heard by Mr. Hastings, is given up for ever to the very persons to whom he had attributed its ruin, that is, to the sezawals or sequestrators of the nabob of Oude.

Such was the issue of the first attempt to relieve the distresses of the dependent provinces. I shall close what I

have to say on the condition of the northern dependencies, with the effect of the last of these attempts. You will recollect, Sir, the account I have not long ago stated to you as given by Mr. Hastings, of the ruined condition of the destroyer of others, the nabob of Oude, and of the recal in consequence of Hannay, Middleton, and Johnson. When the first little sudden gust of passion against these gentlemen was spent, the sentiments of old friendship began to revive. Some healing conferences were held between them and the superior government. Mr. Hannay was permitted to return to Oude; but death prevented the further advantages intended for him, and the future benefits proposed for the country by the provident care of the council general.

One of these gentlemen was accused of the grossest peculations. Two of them by Mr. Hastings himself, of what he considered as very gross offences. The court of directors were informed, by the governor-general and council, that a severe inquiry would be instituted against the two survivors; and they requested that court to suspend its judgment, and to wait the event of their proceedings. A mock inquiry has been instituted, by which the parties could not be said to be either acquitted or condemned. By means of the bland and conciliatory dispositions of the charter governors, and proper private explanations, the public inquiry has in effect died away; the supposed peculators and destroyers of Oude repose in all security in the bosoms of their accusers; whilst others succeed to them to be instructed by their example.

It is only to complete the view I proposed of the conduct of the Company, with regard to the dependent provinces, that I shall say any thing at all of the Carnatic, which is the scene, if possible, of greater disorder than the northern provinces. Perhaps it were better to say of this centre and metropolis of abuse, whence all the rest in India and in England diverge; from whence they are fed and methodized, what was said of Carthage — '*de Carthagine satius est silere quam parum dicere.*' This country, in all its denominations, is about 46,000 square miles. It may be

affirmed universally, that not one person of substance or property, landed, commercial or monied, excepting two or three bankers, who are necessary deposits and distributors of the general spoil, is left in all that region. In that country the moisture, the bounty of heaven, is given but at a certain season. Before the æra of our influence, the industry of man carefully husbanded that gift of God. The Gentoos preserved, with a provident and religious care, the precious deposit of the periodical rain in reservoirs, many of them works of royal grandeur; and from these, as occasion demanded, they fructified the whole country. To maintain these reservoirs, and to keep up an annual advance to the cultivators, for seed and cattle, formed a principal object of the piety and policy of the priests and rulers of the Gentoo religion.

This object required a command of money; and there was no pollam, or castle, which in the happy days of the Carnatic was without some hoard of treasure, by which the governors were enabled to combat with the irregularity of the seasons, and to resist or to buy off the invasion of an enemy. In all the cities were multitudes of merchants and bankers, for all occasions of monied assistance; and on the other hand, the native princes were in condition to obtain credit from them. The manufacturer was paid by the return of commodities, or by imported money, and not, as at present, in the taxes that had been originally exacted from his industry. In aid of casual distress, the country was full of choultries, which were inns and hospitals, where the traveller and the poor were relieved. All ranks of people had their place in the public concern, and their share in the common stock and common prosperity; but *the chartered rights of men*, and the right which it was thought proper to set up in the nabob of Arcot, introduced a new system. It was their policy to consider hoards of money as crimes; to regard moderate rents as frauds on the sovereign; and to view, in the lesser princes, any claim of exemption from more than settled tribute, as an act of rebellion. Accordingly all the castles were, one after

the other, plundered and destroyed. The native princes were expelled; the hospitals fell to ruin; the reservoirs of water went to decay; the merchants, bankers, and manufacturers disappeared; and sterility, indigence, and depopulation, overspread the face of these once flourishing provinces.

The Company was very early sensible of these mischiefs, and of their true cause. They gave precise orders "that the native princes, called polygars, should *not be extirpated.*" — "That the rebellion [so they choose to call it] of the polygars, may (they fear) *with too much justice*, be attributed to the mal-administration of the nabob's collectors:" — That "they observe with concern, that their troops have been put to *disagreeable* services." They might have used a stronger expression without impropriety. But they make amends in another place. Speaking of the polygars, the directors say, that "it was repugnant to humanity to *force* them to such dreadful extremities *as they underwent:*" That some examples of severity might be necessary, "when they fell into the nabob's hands," *and not by the destruction of the country.* "That *they fear* his government is *none of the mildest;* and that there is *great oppression* in collecting his revenues." They state, that the wars in which he has involved the Carnatic, had been a cause of its distresses. "That these distresses have been certainly great; but those by *the nabob's oppressions* we believe *to be greater than all.*" Pray, Sir, attend to the reason for their opinion that the government of this their instrument is more calamitous to the country than the ravages of war. Because, say they, his oppressions are "*without intermission;* — the others are temporary; by all which *oppressions* we believe the nabob has great wealth in store." From this store neither he nor they could derive any advantage whatsoever, upon the invasion of Hyder Ally in the hour of their greatest calamity and dismay.

It is now proper to compare these declarations with the Company's conduct. The principal reason which they assigned against the *extirpation* of the polygars was, that

the *weavers* were protected in their fortresses. They might have added, that the Company itself, which stung them to death, had been warmed in the bosom of these unfortunate princes: for, on the taking of Madras by the French, it was in their hospitable pollams, that most of the inhabitants found refuge and protection. But, notwithstanding all these orders, reasons, and declarations, they at length gave an indirect sanction, and permitted the use of a very direct and irresistible force, to measures which they had, over and over again, declared to be false policy, cruel, inhuman, and oppressive. Having, however, forgot all attention to the princes and the people, they remembered that they had some sort of interest in the trade of the country; and it is matter of curiosity to observe the protection which they afforded to this their natural object.

Full of anxious cares on this head, they direct, "that in reducing the polygars they (their servants) were to be *cautious*, not to deprive the *weavers and manufacturers* of the protection they often met with in the strong holds of the polygar countries;" — and they write to their instrument, the nabob of Arcot, concerning these poor people, in a most pathetic strain. "We *entreat* your excellency (say they) in particular, to make the manufacturers the object of your *tenderest care*; particularly when you *root out* the polygars, you do not deprive the *weavers of the protection they enjoyed under them.*" When they root out the protectors in favour of the oppressor, they shew themselves religiously cautious of the rights of the protected. When they extirpate the shepherd and the shepherd's dog, they piously recommend the helpless flock to the mercy, and even to the *tenderest care*, of the wolf. This is the uniform strain of their policy, strictly forbidding, and at the same time strenuously encouraging and enforcing every measure that can ruin and desolate the country committed to their charge. After giving the Company's idea of the government of this their instrument, it may appear singular, but it is perfectly consistent with their system, that, besides wasting for him, at two different times, the most exquisite

spot upon the earth, Tanjore, and all the adjacent countries, they have even voluntarily put their own territory, that is, a large and fine country adjacent to Madras, called their Jaghire, wholly out of their protection; and have continued to farm their subjects, and their duties towards these subjects, to that very nabob, whom they themselves constantly represent as an habitual oppressor, and a relentless tyrant. This they have done without any pretence of ignorance of the objects of oppression for which this prince has thought fit to become their renter; for he has again and again told them, that it is for the sole purpose of exercising authority he holds the jaghire lands; and he affirms (and I believe with truth) that he pays more for that territory than the revenues yield. This deficiency he must make up from his other territories; and thus, in order to furnish the means of oppressing one part of the Carnatic, he is led to oppress all the rest.

The House perceives that the livery of the Company's government is uniform. I have described the condition of the countries indirectly, but most substantially, under the Company's authority. And now I ask, whether, with this map of mis-government before me, I can suppose myself bound by my vote to continue, upon any principles of pretended public faith, the management of these countries in those hands? If I kept such a faith (which in reality is no better than a *fides latronum*) with what is called the Company, I must break the faith, the covenant, the solemn, original, indispensable oath, in which I am bound, by the eternal frame and constitution of things, to the whole human race.

As I have dwelt so long on these who are indirectly under the Company's administration, I will endeavour to be a little shorter upon the countries immediately under this charter government. These are the Bengal provinces. The condition of these provinces is pretty fully detailed in the sixth and ninth reports, and in their appendixes. I will select only such principles and instances as are broad and general. To your own thoughts I shall leave it, to

furnish the detail of oppressions involved in them. I shall state to you, as shortly as I am able, the conduct of the Company; — 1st, towards the landed interests; — next, the commercial interests; — 3dly, the native government; — and lastly, to their own government.

Bengal, and the provinces that are united to it, are larger than the kingdom of France; and once contained, as France does contain, a great and independent landed interest, composed of princes, of great lords, of a numerous nobility and gentry, of freeholders, of lower tenants, of religious communities, and public foundations. So early as 1769, the Company's servants perceived the decay into which these provinces had fallen under English administration, and they made a strong representation upon this decay, and what they apprehended to be the causes of it. Soon after this representation, Mr. Hastings became president of Bengal. Instead of administering a remedy to this melancholy disorder, upon the heels of a dreadful famine, in the year 1772, the succour which the new president and the council lent to this afflicted nation was — shall I be believed in relating it? — the landed interest of a whole kingdom, of a kingdom to be compared to France, was set up to public auction! They set up (Mr. Hastings set up) the whole nobility, gentry, and freeholders, to the highest bidder. No preference was given to the ancient proprietors. They must bid against every usurer, every temporary adventurer, every jobber and schemer, every servant of every European, or they were obliged to content themselves, in lieu of their extensive domains, with their house, and such a pension as the state auctioneers thought fit to assign. In this general calamity, several of the first nobility thought (and in all appearance justly) that they had better submit to the necessity of this pension, than continue under the name of zemindars, the objects and instruments of a system, by which they ruined their tenants, and were ruined themselves. Another reform has since come upon the back of the first; and a pension having been assigned to these unhappy persons, in lieu of their

hereditary lands, a new scheme of economy has taken place, and deprived them of that pension.

The menial servants of Englishmen, persons (to use the emphatical phrase of a ruined and patient eastern chief) "*whose fathers they would not have set with the dogs of their flock*," entered into their patrimonial lands. Mr. Hastings's banian was, after this auction, found possessed of territories yielding a rent of 140,000*l.* a year.

Such an universal proscription, upon any pretence, has few examples. Such a proscription, without even a pretence of delinquency, has none. It stands by itself. It stands as a monument to astonish the imagination, to confound the reason of mankind. I confess to you, when I first came to know this business in its true nature and extent, my surprise did a little suspend my indignation. I was in a manner stupified by the desperate boldness of a few obscure young men, who having obtained, by ways which they could not comprehend, a power of which they saw neither the purposes nor the limits, tossed about, subverted, and tore to pieces, as if it were in the gambols of a boyish unluckiness and malice, the most established rights, and the most ancient and most revered institutions, of ages and nations. Sir, I will not now trouble you with any detail, with regard to what they have since done with these same lands and land-owners; only to inform you, that nothing has been suffered to settle for two seasons together upon any basis; and that the levity and inconstancy of these mock legislators were not the least afflicting parts of the oppressions suffered under their usurpation; nor will any thing give stability to the property of the natives, but an administration in England at once protecting and stable. The country sustains, almost every year, the miseries of a revolution. At present, all is uncertainty, misery, and confusion. There is to be found through these vast regions no long[illegible] landed man, who is a resource for voluntary aid, or an object for particular rapine. Some of them were, not long sin[illegible] great princes; they possessed treasures, they levied armies. There was a zemindar in Bengal (I forget his

name) that, on the threat of an invasion, supplied the soubah of these provinces with the loan of a million sterling. The family at this day wants credit for a breakfast at the bazar.

I shall now say a word or two on the Company's care of the commercial interests of those kingdoms. As it appears in the reports, that persons in the highest stations in Bengal have adopted, as a fixed plan of policy, the destruction of all intermediate dealers between the Company and the manufacturer, native merchants have disappeared of course. The spoil of the revenues is the sole capital which purchases the produce and manufactures; and through three or four foreign companies transmits the official gains of individuals to Europe. No other commerce has an existence in Bengal. The transport of its plunder is the only traffic of the country. I wish to refer you to the appendix to the ninth report for a full account of the manner in which the Company have protected the commercial interests of their dominions in the east.

As to the native government and the administration of justice, it subsisted in a poor tottering manner for some years. In the year 1781, a total revolution took place in that establishment. In one of the usual freaks of legislation of the council of Bengal, the whole criminal jurisdiction of these courts, called the Phoujdary Judicature, exercised till then by the principal Mussulmen, was in one day, without notice, without consultation with the magistrates or the people there, and without communication with the directors or ministers here, totally subverted. A new institution took place, by which this jurisdiction was divided between certain English servants of the Company and the Gentoo zemindars of the country, the latter of whom never petitioned for it, nor, for ought that appears, ever desired this boon. But its natural use was made of it; it was made a pretence for new extortions of money.

The natives had however one consolation in the ruin of their judicature; they soon saw that it fared no better with the English government itself. That too, after destroying every other, came to its period. This revolution may well

be rated for a most daring act, even among the extraordinary things that have been doing in Bengal since our unhappy acquisition of the means of so much mischief.

An establishment of English government for civil justice, and for the collection of revenue, was planned and executed by the president and council of Bengal, subject to the pleasure of the directors, in the year 1772. According to this plan, the country was divided into six districts, or provinces. In each of these was established a provincial council, which administered the revenue; and of that council one member by monthly rotation presided in the courts of civil resort; with an appeal to the council of the province, and thence to Calcutta. In this system (whether, in other respects, good or evil) there were some capital advantages. There was in the very number of persons in each provincial council, authority, communication, mutual check, and controul. They were obliged, on their minutes of consultation, to enter their reasons and dissents; so that a man of diligence, of research, and tolerable sagacity, sitting in London, might from these materials be enabled to form some judgment of the spirit of what was going on on the furthest banks of the Ganges and Burrampooter.

The court of directors so far ratified this establishment, (which was consonant enough to their general plan of government,) that they gave precise orders that no alteration should be made in it without their consent. So far from being apprized of any design against this constitution, they had reason to conceive that on trial it had been more and more approved by their council-general, at least by the governor-general, who had planned it. At the time of the revolution, the council-general was nominally in two persons, virtually in one. At that time, measures of an arduous and critical nature ought to have been forborne, even if, to the fullest council, this specific measure had not been prohibited by the superior authority. It was in this very situation, that one man had the hardiness to conceive, and the temerity to execute, a total revolution in the form and

the persons composing the government of a great kingdom. Without any previous step, at one stroke, the whole constitution of Bengal, civil and criminal, was swept away. The councellors were recalled from their provinces; upwards of fifty of the principal officers of government were turned out of employ, and rendered dependent on Mr. Hastings for their immediate subsistence, and for all hope of future provision. The chief of each council, and one European collector of revenue, was left in each province.

But here, Sir, you may imagine a new government, of some permanent description, was established in the place of that which had been thus suddenly overturned. No such thing. Lest these chiefs, without councils, should be conceived to form the ground plan of some future government, it was publicly declared, that their continuance was only temporary and permissive. The whole subordinate British administration of revenue was then vested in a committee in Calcutta, all creatures of the governor-general; and the provincial management, under the permissive chief, was delivered over to native officers.

But, that the revolution, and the purposes of the revolution, might be complete, to this committee were delegated, not only the functions of all the inferior, but, what will surprise the House, those of the supreme administration of revenue also. Hitherto the governor-general and council had, in their revenue department, administered the finances of those kingdoms. By the new scheme they are delegated to this committee, who are only to report their proceedings for approbation.

The key to the whole transaction is given in one of the instructions to the committee, "that it is not necessary that they should enter dissents." By this means the ancient plan of the Company's administration was destroyed; but the plan of concealment was perfected. To that moment the accounts of the revenues were tolerably clear; or at least means were furnished for inquiries, by which they might be rendered satisfactory. In the obscure and silent gulph of this committee every thing is now buried. The

thickest shades of night surround all their transactions. No effectual means of detecting fraud, mismanagement or misrepresentation, exist. The directors, who have dared to talk with such confidence on their revenues, know nothing about them. What used to fill volumes is now comprized under a few dry heads on a sheet of paper. The natives, a people habitually made to concealment, are the chief managers of the revenue throughout the provinces. I mean by natives, such wretches as your rulers select out of them as most fitted for their purposes. As a proper key-stone to bind the arch, a native, one Gunga Govind Sing, a man turned out of his employment by Sir John Clavering, for malversation in office, is made the corresponding secretary; and indeed the great moving principle of their new board.

As the whole revenue and civil administration was thus subverted, and a clandestine government substituted in the place of it, the judicial institution underwent a like revolution. In 1772 there had been six courts formed out of the six provincial councils. Eighteen new ones are appointed in their place, with each a judge, taken from the *junior* servants of the Company. To maintain these eighteen courts, a tax is levied on the sums in litigation, of $2\frac{1}{2}$ per cent. on the great, and of 5 per cent. on the less. This money is all drawn from the provinces to Calcutta. The chief justice, (the same who stays in defiance of a vote of this House, and of his majesty's recal,) is appointed at once the treasurer and disposer of these taxes, levied, without any sort of authority, from the Company, from the crown, or from parliament.

In effect, Sir, every legal regular authority in matters of revenue, of political administration, of criminal law, of civil law, in many of the most essential parts of military discipline, is laid level with the ground; and an oppressive, irregular, capricious, unsteady, rapacious, and peculating despotism, with a direct disavowal of obedience to any authority at home, and without any fixed maxim, principle,

or rule of proceeding, to guide them in India, is at present the state of your charter-government over great kingdoms.

As the Company has made this use of their trust, I should ill discharge mine, if I refused to give my most cheerful vote for the redress of these abuses, by putting the affairs of so large and valuable a part of the interests of this nation, and of mankind, into some steady hands, possessing the confidence, and assured of the support of this House, until they can be restored to regularity, order, and consistency.

I have touched the heads of some of the grievances of the people, and the abuses of government. But I hope and trust, you will give me credit, when I faithfully assure you, that I have not mentioned one-fourth part of what has come to my knowledge in your committee; and further, I have full reason to believe, that not one-fourth part of the abuses are come to my knowledge, by that or by any other means. Pray consider what I have said only as an index to direct you in your inquiries.

If this then, Sir, has been the use made of the trust of political powers internal and external, given by you in the charter, the next thing to be seen is the conduct of the Company with regard to the commercial trust. And here I will make a fair offer: — If it can be proved that they have acted wisely, prudently, and frugally, as merchants, I shall pass by the whole mass of their enormities as statesmen. That they have not done this, their present condition is proof sufficient. Their distresses are said to be owing to their wars. This is not wholly true; but if it were, is not that readiness to engage in wars which distinguishes them, and for which the committee of secrecy has so branded their politics, founded on the falsest principles of mercantile speculation?

The principle of buying cheap and selling dear is the first, the great foundation of mercantile dealing. Have they ever attended to this principle? Nay, for years have they not actually authorized in their servants a total indifference as to the prices they were to pay?

A great deal of strictness in driving bargains for whatever we contract, is another of the principles of mercantile policy. Try the Company by that test! Look at the contracts that are made for them. Is the Company so much as a good commissary to their own armies? I engage to select for you, out of the innumerable mass of their dealings, all conducted very nearly alike, one contract only, the excessive profits on which during a short term would pay the whole of their year's dividend. I shall undertake to shew, that upon two others, the inordinate profits given, with the losses incurred in order to secure those profits, would pay a year's dividend more.

It is a third property of trading men, to see that their clerks do not divert the dealings of the master to their own benefit. It was the other day only, when their governor and council taxed the Company's investment with a sum of 50,000*l.* as an inducement to persuade only seven members of their board of trade to give their *honour* that they would abstain from such profits upon that investment as they must have violated their *oaths* if they had made at all.

It is a fourth quality of a merchant to be exact in his accounts. What will be thought, when you have fully before you the mode of accounting made use of in the treasury of Bengal?—I hope you will have it soon. With regard to one of their agencies, when it came to the material part, the prime cost of the goods on which a commission of 15 per cent. was allowed, to the astonishment of the factory to whom the commodities were sent, the accountant-general reports that he did not think himself authorized to call for *vouchers* relative to this and other particulars,—because the agent was then upon his *honour* with regard to them. A new principle of account upon honour seems to be regularly established in their dealings and their treasury, which in reality amounts to an entire annihilation of the principle of all accounts.

It is a fifth property of a merchant, who does not meditate a fraudulent bankruptcy, to calculate his probable

profits upon the money he takes up to vest in business. Did the Company, when they bought goods on bonds bearing eight per cent. interest, at ten and even twenty per cent. discount, even ask themselves a question concerning the possibility of advantage from dealing on these terms?

The last quality of a merchant I shall advert to, is the taking care to be properly prepared, in cash or goods, in the ordinary course of sale, for the bills which are drawn on them. Now I ask, whether they have ever calculated the clear produce of any given sales, to make them tally with the four million of bills which are come and coming upon them, so as at the proper periods to enable the one to liquidate the other? No, they have not. They are now obliged to borrow money of their own servants to purchase their investment. The servants stipulate five per cent. on the capital they advance, if their bills should not be paid at the time when they become due; and the value of the rupee on which they charge this interest is taken at two shillings and a penny. Has the Company ever troubled themselves to inquire whether their sales can bear the payment of that interest, and at that rate of exchange? Have they once considered the dilemma in which they are placed—the ruin of their credit in the East Indies, if they refuse the bills—the ruin of their credit and existence in England, if they accept them? Indeed no trace of equitable government is found in their politics; not one trace of commercial principle in their mercantile dealing; and hence is the deepest and maturest wisdom of parliament demanded, and the best resources of this kingdom must be strained, to restore them; that is, to restore the countries destroyed by the misconduct of the Company, and to restore the Company itself, ruined by the consequences of their plans for destroying what they were bound to preserve.

I required, if you remember, at my outset, a proof that these abuses were habitual. But surely this it is not necessary for me to consider as a separate head; because I trust

I have made it evident beyond a doubt, in considering the abuses themselves, that they are regular, permanent, and systematical.

I am now come to my last condition, without which, for one, I will never readily lend my hand to the destruction of any established government; which is, that in its present state, the government of the East India Company is absolutely incorrigible.

Of this great truth I think there can be little doubt, after all that has appeared in this House. It is so very clear, that I must consider the leaving any power in their hands, and the determined resolution to continue and countenance every mode and every degree of peculation, oppression, and tyranny, to be one and the same thing. I look upon that body incorrigible, from the fullest consideration, both of their uniform conduct, and their present real and virtual constitution.

If they had not constantly been apprized of all the enormities committed in India under their authority; if this state of things had been as much a discovery to them as it was to many of us; we might flatter ourselves that the detection of the abuses would lead to their reformation. I will go further: if the court of directors had not uniformly condemned every act which this House or any of its committees had condemned; if the language in which they expressed their disapprobation against enormities and their authors had not been much more vehement and indignant than ever any used in this House, I should entertain some hopes. If they had not, on the other hand, as uniformly commended all their servants who had done their duty and obeyed their orders, as they had heavily censured those who rebelled; I might say, these people have been in an error, and when they are sensible of it they will mend. But when I reflect on the uniformity of their support to the objects of their uniform censure; and the state of insignificance and disgrace to which all of those have been reduced whom they approved; and that even utter ruin and premature death have been among the

fruits of their favour; I must be convinced, that in this case, as in all others, hypocrisy is the only vice that never can be cured.

Attend, I pray you, to the situation and prosperity of Benfield, Hastings, and others of that sort. The last of these has been treated by the Company with an asperity of reprehension that has no parallel. They lament, "that the power of disposing of their property for perpetuity should fall into such hands." Yet for fourteen years, with little interruption, he has governed all their affairs, of every description, with an absolute sway. He has had himself the means of heaping up immense wealth; and, during that whole period, the fortunes of hundreds have depended on his smiles and frowns. He himself tells you he is incumbered with two hundred and fifty young gentlemen, some of them of the best families in England, all of whom aim at returning with vast fortunes to Europe in the prime of life. He has then two hundred and fifty of your children as his hostages for your good behaviour; and loaded for years, as he has been, with the execrations of the natives, with the censures of the court of directors, and struck and blasted with the resolutions of this House, he still maintains the most despotic power ever known in India. He domineers with an overbearing sway in the assemblies of his pretended masters; and it is thought in a degree rash to venture to name his offences in this House, even as grounds of a legislative remedy.

On the other hand, consider the fate of those who have met with the applauses of the directors. Colonel Monson, one of the best of men, had his days shortened by the applauses, destitute of the support, of the Company. General Clavering, whose panegyric was made in every dispatch from England, whose hearse was bedewed with the tears, and hung round with the eulogies of the court of directors, burst an honest and indignant heart at the treachery of those who ruined him by their praises. Uncommon patience and temper supported Mr. Francis a while longer under the baneful influence of the commend-

ation of the court of directors. His health however gave way at length; and, in utter despair, he returned to Europe. At his return the doors of the India-house were shut to this man, who had been the object of their constant admiration. He has indeed escaped with life, but he has forfeited all expectation of credit, consequence, party, and following. He may well say, "*Me nemo ministro fur erit, atque ideo nulli comes exeo.*" This man, whose deep reach of thought, whose large legislative conceptions, and whose grand plans of policy make the most shining part of our reports, from whence we have all learned our lessons, if we have learned any good ones; this man, from whose materials those gentlemen, who have least acknowledged it, have yet spoken as from a brief; this man, driven from his employment, discountenanced by the directors, has had no other reward, and no other distinction, but that inward "sunshine of the soul" which a good conscience can always betow upon itself. He has not yet had so much as a good word, but from a person too insignificant to make any other return, for the means with which he has been furnished for performing his share of a duty which is equally urgent on us all.

Add to this, that from the highest in place to the lowest, every British subject, who, in obedience to the Company's orders, has been active in the discovery of peculations, has been ruined. They have been driven from India. When they made their appeal at home they were not heard; when they attempted to return they were stopped. No artifice of fraud, no violence of power, has been omitted, to destroy them in character as well as in fortune.

Worse, far worse, has been the fate of the poor creatures, the natives of India, whom the hypocrisy of the Company has betrayed into complaint of oppression, and discovery of peculation. The first women in Bengal, the ranny of Rajeshahi, the ranny of Burdwan, the ranny of Amboa, by their weak and thoughtless trust in the Company's honour and protection, are utterly ruined: the first of these women, a person of princely rank, and once

of correspondent fortune, who paid above 200,000*l.* a-year quit-rent to the state, is, according to very credible information, so completely beggared as to stand in need of the relief of alms. Mahomed Reza Khân, the second Mussulman in Bengal, for having been distinguished by the ill-omened honour of the countenance and protection of the court of directors, was, without the pretence of any inquiry whatsoever into his conduct, stripped of all his employments, and reduced to the lowest condition. His ancient rival for power, the rajah Nundcomar, was, by an insult on every thing which India holds respectable and sacred, hanged in the face of all his nation, by the judges you sent to protect that people; hanged for a pretended crime, upon an *ex post facto* British act of parliament, in the midst of his evidence against Mr. Hastings. The accuser they saw hanged. The culprit, without acquittal or inquiry, triumphs on the ground of that murder: a murder not of Nundcomar only, but of all living testimony, and even of evidence yet unborn. From that time not a complaint has been heard from the natives against their governors. All the grievances of India have found a complete remedy.

Men will not look to acts of parliament, to regulations, to declarations, to votes, and resolutions. No, they are not such fools. They will ask, what is the road to power, credit, wealth, and honours? They will ask, what conduct ends in neglect, disgrace, poverty, exile, prison, and gibbet? These will teach them the course which they are to follow. It is your distribution of these that will give the character and tone of your government. All the rest is miserable grimace.

When I accuse the court of directors of this habitual treachery, in the use of reward and punishment, I do not mean to include all the individuals in that court. There have been, Sir, very frequently, men of the greatest integrity and virtue amongst them; and the contrariety in the declarations and conduct of that court has arisen, I take it, from this:—that the honest directors have, by the

force of matter of fact on the records, carried the reprobation of the evil measures of the servants in India. This could not be prevented, whilst these records stared them in the face; nor were the delinquents, either here or there, very solicitous about their reputation, as long as they were able to secure their power. The agreement of their partisans to censure them blunted for a while the edge of a severe proceeding. It obtained for them a character of impartiality, which enabled them to recommend, with some sort of grace, what will always carry a plausible appearance, those treacherous expedients, called moderate measures. Whilst these were under discussion, new matter of complaint came over, which seemed to antiquate the first. The same circle was here trod round once more; and thus through years they proceeded in a compromise of censure for punishment; until, by shame and despair, one after another, almost every man, who preferred his duty to the Company to the interest of their servants, has been driven from that court.

This, Sir, has been their conduct; and it has been the result of the alteration which was insensibly made in their constitution. The change was made insensibly; but it is now strong and adult, and as public and declared, as it is fixed beyond all power of reformation. So that there is none who hears me, that is not as certain as I am, that the Company, in the sense in which it was formerly understood, has no existence. The question is not, what injury you may do to the proprietors of India stock; for there are no such men to be injured. If the active ruling part of the Company who form the general court, who fill the offices, and direct the measures, (the rest tell for nothing,) were persons who held their stock as a means of their subsistence, who in the part they took were only concerned in the government of India, for the rise or fall of their dividend, it would be indeed a defective plan of policy. The interest of the people who are governed by them would not be their primary object; perhaps a very small part of their consideration at all. But then they might

well be depended on, and perhaps more than persons in other respects preferable, for preventing the peculation of their servants to their own prejudice. Such a body would not easily have left their trade as a spoil to the avarice of those who received their wages. But now things are totally reversed. The stock is of no value, whether it be the qualification of a director or proprietor; and it is impossible that it should. A director's qualification may be worth about 2,500*l.*—and the interest, at eight per cent. is about 160*l.* a-year. Of what value is that, whether it rise to ten, or fall to six, or to nothing, to him whose son, before he is in Bengal two months, and before he descends the steps of the council-chamber, sells the grant of a single contract for 40,000*l.*? Accordingly the stock is bought up in qualifications. The vote is not to protect the stock, but the stock is bought to acquire the vote; and the end of the vote is to cover and support, against justice, some man of power who has made an obnoxious fortune in India; or to maintain in power those who are actually employing it in the acquisition of such a fortune; and to avail themselves in return of his patronage, that he may shower the spoils of the east, "barbaric pearl and gold," on them, their families, and dependents. So that all the relations of the Company are not only changed but inverted. The servants in India are not appointed by the directors, but the directors are chosen by them. The trade is carried on with their capitals. To them the revenues of the country are mortgaged. The seat of the supreme power is in Calcutta. The house in Leadenhall-street is nothing more than a change for their agents, factors, and deputies to meet in, to take care of their affairs, and support their interests; and this so avowedly, that we see the known agents of the delinquent servants marshalling and disciplining their forces, and the prime spokesmen in all their assemblies.

Every thing has followed in this order, and according to the natural train of events. I will close what I have to say on the incorrigible condition of the Company, by

stating to you a few facts, that will leave no doubt of the obstinacy of that corporation, and of their strength too, in resisting the reformation of their servants. By these facts you will be enabled to discover the sole grounds upon which they are tenacious of their charter. It is now more than two years that, upon account of the gross abuses and ruinous situation of the Company's affairs, (which occasioned the cry of the whole world long before it was taken up here,) that we instituted two committees to inquire into the mismanagements by which the Company's affairs had been brought to the brink of ruin. These inquiries had been pursued with unremitting diligence; and a great body of facts was collected and printed for general information. In the result of those inquiries, although the committees consisted of very different descriptions, they were unanimous. They joined in censuring the conduct of the Indian administration, and enforcing the responsibility upon two men, whom this House, in consequence of these reports, declared it to be the duty of the directors to remove from their stations, and recal to Great Britain, "*because they had acted in a manner repugnant to the honour and policy of this nation, and thereby brought great calamities on India, and enormous expences on the East India Company.*"

Here was no attempt on the charter. Here was no question of their privileges. To vindicate their own honour, to support their own interests, to enforce obedience to their own orders; these were the sole object of the monitory resolution of this House. But as soon as the general court could assemble, they assembled to demonstrate who they really were. Regardless of the proceedings of this House, they ordered the directors not to carry into effect any resolution they might come to for the removal of Mr. Hastings and Mr. Hornby. The directors, still retaining some shadow of respect to this House, instituted an inquiry themselves, which continued from June to October; and after an attentive perusal and full consideration of papers, resolved to take steps for removing the persons who had been the

objects of our resolution; but not without a violent struggle against evidence. Seven directors went so far as to enter a protest against the vote of their court. Upon this the general court takes the alarm; it re-assembles; it orders the directors to rescind their resolution, that is, not to recal Mr. Hastings and Mr. Hornby, and to despise the resolution of the House of Commons. Without so much as the pretence of looking into a single paper, without the formality of instituting any committee of inquiry, they superseded all the labours of their own directors, and of this House.

It will naturally occur to ask, how it was possible that they should not attempt some sort of examination into facts, as a colour for their resistance to a public authority, proceeding so very deliberately; and exerted, apparently at least, in favour of their own? The answer, and the only answer which can be given, is, that they were afraid that their true relation should be mistaken. They were afraid that their patrons and masters in India should attribute their support of them to an opinion of their cause, and not to an attachment to their power. They were afraid it should be suspected, that they did not mean blindly to support them in the use they made of that power. They determined to shew that they at least were set against reformation; that they were firmly resolved to bring the territories, the trade, and the stock of the Company, to ruin, rather than be wanting in fidelity to their nominal servants and real masters, in the ways they took to their private fortunes.

Even since the beginning of this session, the same act of audacity was repeated, with the same circumstances of contempt of all the decorum of inquiry on their part, and of all the proceedings of this House. They again made it a request to their favourite, and your culprit, to keep his post; and thanked and applauded him, without calling for a paper which could afford light into the merit or demerit of the transaction, and without giving themselves a moment's time to consider, or even to understand the articles of the Mahratta peace. The fact is, that for a long time there was a struggle, a faint one indeed, between the Company and their

servants. But it is a struggle no longer. For some time the superiority has been decided. The interests abroad are become the settled preponderating weight both in the court of proprietors, and the court of directors. Even the attempt you have made to inquire into their practices and to reform abuses, has raised and piqued them to a far more regular and steady support. The Company has made a common cause, and identified themselves, with the destroyers of India. They have taken on themselves all that mass of enormity: they are supporting what you have reprobated; those you condemn they applaud; those you order home to answer for their conduct, they request to stay, and thereby encourage to proceed in their practices. Thus the servants of the East India Company triumph, and the representatives of the people of Great Britain are defeated.

I therefore conclude, what you all conclude, that this body, being totally perverted from the purposes of its institution, is utterly incorrigible; and because they are incorrigible, both in conduct and constitution, power ought to be taken out of their hands; just on the same principles on which have been made all the just changes and revolutions of government that have taken place since the beginning of the world.

I will now say a few words to the general principle of the plan which is set up against that of my right honourable friend. It is to re-commit the government of India to the court of directors. Those who would commit the reformation of India to the destroyers of it, are the enemies to that reformation. They would make a distinction between directors and proprietors, which, in the present state of things, does not, cannot exist. But a right honourable gentleman says, he would keep the present government of India in the court of directors; and would, to curb them, provide salutary regulations; — wonderful! That is, he would appoint the old offenders to correct the old offences; and he would render the vicious and the foolish wise and virtuous, by salutary regulations. He would appoint the wolf as guardian of the sheep; but he has invented a curious

muzzle, by which this protecting wolf shall not be able to open his jaws above an inch or two at the utmost. Thus his work is finished. But I tell the right honourable gentlemen, that controuled depravity is not innocence; and that it is not the labour of delinquency in chains, that will correct abuses. Will these gentlemen of the direction animadvert on the partners of their own guilt? Never did a serious plan of amending of any old tyrannical establishment propose the authors and abettors of the abuses as the reformers of them. If the undone people of India see their old oppressors in confirmed power, even by the reformation, they will expect nothing but what they will certainly feel, a continuance, or rather an aggravation, of all their former sufferings. They look to the seat of power, and to the persons who fill it; and they despise those gentlemen's regulations as much as the gentlemen do who talk of them.

But there is a cure for every thing. Take away, say they, the court of proprietors, and the court of directors will do their duty. Yes; as they have done it hitherto. That the evils in India have solely arisen from the court of proprietors, is grossly false. In many of them, the directors were heartily concurring; in most of them, they were encouraging, and sometimes commanding; in all, they were conniving.

But who are to choose this well-regulated and reforming court of directors? — Why, the very proprietors who are excluded from all management, for the abuse of their power. They will choose, undoubtedly, out of themselves, men like themselves; and those who are most forward in resisting your authority, those who are most engaged in faction or interest with the delinquents abroad, will be the objects of their selection. But gentlemen say, that when this choice is made, the proprietors are not to interfere in the measures of the directors, whilst those directors are busy in the controul of their common patrons and masters in India. No, indeed, I believe they will not desire to interfere. They will choose those who they know may be trusted, safely trusted, to act in strict conformity to their common princi-

ples, manners, measures, interests, and connections. They will want neither monitor nor controul. It is not easy to choose men to act in conformity to a public interest against their private: but a sure dependence may be had on those who are chosen to forward their private interest, at the expense of the public. But if the directors should slip, and deviate into rectitude, the punishment is in the hands of the general court, and it will surely be remembered to them at their next election.

If the government of India wants no reformation; but gentlemen are amusing themselves with a theory, conceiving a more democratic or aristocratic mode of government for these dependencies, or if they are in a dispute only about patronage; the dispute is with me of so little concern, that I should not take the pains to utter an affirmative or negative to any proposition in it. If it be only for a theoretical amusement that they are to propose a bill; the thing is at best frivolous and unnecessary. But if the Company's government is not only full of abuse, but is one of the most corrupt and destructive tyrannies, that probably ever existed in the world, (as I am sure it is,) what a cruel mockery would it be in me, and in those who think like me, to propose this kind of remedy for this kind of evil!

I now come to the third objection, That this bill will increase the influence of the crown. An honourable gentleman has demanded of me, whether I was in earnest when I proposed to this House a plan for the reduction of that influence. Indeed, Sir, I was much, very much, in earnest. My heart was deeply concerned in it; and I hope the public has not lost the effect of it. How far my judgment was right, for what concerned personal favour and consequence to myself, I shall not presume to determine; nor is its effect upon me of any moment. But as to this bill, whether it increases the influence of the crown, or not, is a question I should be ashamed to ask. If I am not able to correct a system of oppression and tyranny, that goes to the utter ruin of 30 millions of my fellow-creatures and fellow-subjects, but by some increase to the influence of the crown,

I am ready here to declare, that I, who have been active to reduce it, shall be at least as active and strenuous to restore it again. I am no lover of names; I contend for the substance of good and protecting government, let it come from what quarter it will.

But I am not obliged to have recourse to this expedient. Much, very much the contrary. I am sure that the influence of the crown will by no means aid a reformation of this kind; which can neither be originated nor supported, but by the uncorrupt public virtue of the representatives of the people of England. Let it once get into the ordinary course of administration, and to me all hopes of reformation are gone. I am far from knowing or believing, that this bill will increase the influence of the crown. We all know, that the crown has ever had some influence in the court of directors; and that it has been extremely increased by the acts of 1773 and 1780. The gentlemen who, as part of their reformation, propose "a more active controul on the part of the crown," which is to put the directors under a secretary of state, specially named for that purpose, must know, that their project will increase it further. But that old influence has had, and the new will have, incurable inconveniences, which cannot happen under the parliamentary establishment proposed in this bill. An honourable gentleman * not now in his place, but who is well acquainted with the India Company, and by no means a friend to this bill, has told you, that a ministerial influence has always been predominant in that body; and that to make the directors pliant to their purposes, ministers generally caused persons meanly qualified to be chosen directors. According to his idea, to secure subserviency, they submitted the Company's affairs to the direction of incapacity. This was to ruin the Company, in order to govern it. This was certainly influence in the very worst form in which it could appear. At best it was clandestine and irresponsible. Whether this was done so much upon system as that gentle-

* Governor Johnstone.

man supposes, I greatly doubt. But such in effect the operation of government on that court unquestionably was; and such, under a similar constitution, it will be for ever. Ministers must be wholly removed from the management of the affairs of India, or they will have an influence in its patronage. The thing is inevitable. Their scheme of a new secretary of state, "with a more vigorous controul," is not much better than a repetition of the measure which we know by experience will not do. Since the year 1773 and the year 1780, the Company has been under the controul of the secretary of state's office, and we had then three secretaries of state. If more than this is done, then they annihilate the direction which they pretend to support; and they augment the influence of the crown, of whose growth they affect so great an horror. But in truth this scheme of reconciling a direction really and truly deliberative, with an office really and substantially controuling, is a sort of machinery that can be kept in order but a very short time. Either the directors will dwindle into clerks, or the secretary of state, as hitherto has been the course, will leave every thing to them, often through design, often through neglect. If both should affect activity, collision, procrastination, delay, and in the end, utter confusion must ensue.

But, Sir, there is one kind of influence far greater than that of the nomination to office. This gentlemen in opposition have totally overlooked, although it now exists in its full vigour; and it will do so, upon their scheme, in at least as much force as it does now. That influence this bill cuts up by the roots: I mean the *influence of protection*. I shall explain myself: — The office given to a young man going to India is of trifling consequence. But he that goes out an insignificant boy, in a few years returns a great nabob. Mr. Hastings says he has 250 of that kind of raw materials, who expect to be speedily manufactured into the merchantable quality I mention. One of these gentlemen, suppose, returns hither, loaded with odium and with riches. When he comes to England, he comes as to a prison, or as to a sanc-

tuary; and either is ready for him, according to his demeanor. What is the influence in the grant of any place in India, to that which is acquired by the protection or compromise with such guilt, and with the command of such riches, under the dominion of the hopes and fears which power is able to hold out to every man in that condition? That man's whole fortune, half a million perhaps, becomes an instrument of influence, without a shilling of charge to the civil list; and the influx of fortunes which stand in need of this protection is continual. It works both ways; it influences the delinquent, and it may corrupt the minister. Compare the influence acquired by appointing, for instance, even a governor-general, and that obtained by protecting him. I shall push this no further: but I wish gentlemen to roll it a little in their own minds.

The bill before you cuts off this source of influence. Its design and main scope is to regulate the administration of India upon the principles of a court of judicature; and to exclude, as far as human prudence can exclude, all possibility of a corrupt partiality, in appointing to office, or supporting in office, or covering from inquiry and punishment, any person who has abused or shall abuse his authority. At the board, as appointed and regulated by this bill, reward and punishment cannot be shifted and reversed by a whisper. That commission becomes fatal to cabal, to intrigue, and to secret representation, — those instruments of the ruin of India. He that cuts off the means of premature fortune, and the power of protecting it when acquired, strikes a deadly blow at the great fund, the bank, the capital stock of Indian influence, which cannot be vested any where, or in any hands, without most dangerous consequences to the public.

The third and contradictory objection is, that this bill does not increase the influence of the crown. On the contrary, that the just power of the crown will be lessened, and transferred to the use of a party, by giving the patronage of India to a commission nominated by parliament, and independent of the crown. The contradicton is glaring;

and it has been too well exposed to make it necessary for me to insist upon it. But passing the contradiction, and taking it without any relation, of all objections that is the most extraordinary. Do not gentlemen know, that the crown has not at present the grant of a single office under the Company, civil or military, at home or abroad? So far as the crown is concerned, it is certainly rather a gainer; for the vacant offices in the new commission are to be filled up by the king.

It is argued as a part of the bill, derogatory to the prerogatives of the crown, that the commissioners named in the bill are to continue for a short term of years, too short in my opinion; and because, during that time, they are not at the mercy of every predominant faction of the court. Does not this objection lie against the present directors; none of whom are named by the crown, and a proportion of whom hold for this very term of four years? Did it not lie against the governor-general and council named in the act of 1773 — who were invested by name, as the present commissioners are to be appointed in the body of the act of parliament, who were to hold their places for a term of terms, and were not removable at the discretion of the crown? Did it not lie against the re-appointment, in the year 1780, upon the very same terms? Yet at none of these times, whatever other objections the scheme might be liable to, was it supposed to be a derogation to the just prerogative of the crown, that a commission created by act of parliament should have its members named by the authority which called it into existence? This is not the disposal by parliament of any office derived from the authority of the crown, or now disposable by that authority. It is so far from being any thing new, violent, or alarming, that I do not recollect, in any parliamentary commission, down to the commissioners of the land-tax, that it has ever been otherwise.

The objection of the tenure for four years is an objection to all places that are not held during pleasure; but in that objection I pronounce the gentlemen, from my knowledge

of their complexion and of their principles, to be perfectly in earnest. The party (say these gentlemen) of the minister who proposes this scheme will be rendered powerful by it: for he will name his party friends to the commission. This objection against party is a party objection; and in this too these gentlemen are perfectly serious. They see that if, by any intrigue, they should succeed to office, they will lose the *clandestine* patronage, the true instrument of clandestine influence, enjoyed in the name of subservient directors, and of wealthy trembling Indian delinquents. But as often as they are beaten off this ground, they return to it again. The minister will name his friends, and persons of his own party. — Whom should he name? Should he name his adversaries? Should he name those whom he cannot trust? Should he name those to execute his plans, who are the declared enemies to the principles of his reform? His character is here at stake. If he proposes for his own ends (but he never will propose) such names as, from their want of rank, fortune, character, ability, or knowledge, are likely to betray or to fall short of their trust, he is in an independent House of Commons; in a House of Commons which has, by its own virtue, destroyed the instruments of parliamentary subservience. This House of Commons would not endure the sound of such names. He would perish by the means which he is supposed to pursue for the security of his power. The first pledge he must give of his sincerity in this great reform, will be in the confidence which ought to be reposed in those names.

For my part, Sir, in this business I put all indirect considerations wholly out of my mind. My sole question, on each clause of the bill, amounts to this: — is the measure proposed required by the necessities of India? I cannot consent totally to lose sight of the real wants of the people who are the objects of it, and to hunt after every matter of party squabble that may be started on the several provisions. On the question of the duration of the commission I am clear and decided. Can I, can any one who has taken the smallest trouble to be informed concerning the affairs of

India, amuse himself with so strange an imagination, as that the habitual despotism and oppression, that the monopolies, the peculations, the universal destruction of all the legal authority of this kingdom, which have been for twenty years maturing to their present enormity, combined with the distance of the scene, the boldness and artifice of delinquents, their combination, their excessive wealth, and the faction they have made in England, can be fully corrected in a shorter term than four years? None has hazarded such an assertion — none, who has a regard for his reputation, will hazard it.

Sir, the gentlemen, whoever they are, who shall be appointed to this commission, have an undertaking of magnitude on their hands, and their stability must not only be, but it must be thought real; — and who is it will believe, that any thing short of an establishment made, supported, and fixed in its duration, with all the authority of parliament, can be thought secure of a reasonable stability? The plan of my honourable friend is the reverse of that of reforming by the authors of the abuse. The best we could expect from them is, that they should not continue their ancient pernicious activity. To those we could think of nothing but applying *controul*; as we are sure that even a regard to their reputation (if any such thing exists in them) would oblige them to cover, to conceal, to suppress, and consequently to prevent all cure of the grievances of India. For what can be discovered, which is not to their disgrace? Every attempt to correct an abuse would be a satire on their former administration. Every man they should pretend to call to an account, would be found their instrument or their accomplice. They can never see a beneficial regulation, but with a view to defeat it. The shorter the tenure of such persons, the better would be the chance of some amendment.

But the system of the bill is different. It calls in persons in no wise concerned with any act censured by parliament; persons generated with, and for, the reform, of which they are themselves the most essential part. To these the chief

regulations in the bill are helps, not fetters; they are authorities to support, not regulations to restrain them. From these we look for much more than innocence. From these we expect zeal, firmness, and unremitted activity. Their duty, their character, binds them to proceedings of vigour; and they ought to have a tenure in their office which precludes all fear, whilst they are acting up to the purposes of their trust; a tenure without which, none will undertake plans that require a series and system of acts. When they know that they cannot be whispered out of their duty, that their public conduct cannot be censured without a public discussion; that the schemes which they have begun will not be committed to those who will have an interest and credit in defeating and disgracing them; then we may entertain hopes. The tenure is for four years, or during their good behaviour. That good behaviour is as long as they are true to the principles of the bill; and the judgment is in either House of parliament. This is the tenure of your judges; and the valuable principle of the bill is to make a judicial administration for India. It is to give confidence in the execution of a duty, which requires as much perseverance and fortitude as can fall to the lot of any that is born of woman.

As to the gain by party, from the right honourable gentleman's bill, let it be shewn, that this supposed party advantage is pernicious to its object, and the objection is of weight; but until this is done, and this has not been attempted, I shall consider the sole objection, from its tendency to promote the interest of a party, as altogether contemptible. The kingdom is divided into parties, and it ever has been so divided, and it ever will be so divided; and if no system for relieving the subjects of this kingdom from oppression, and snatching its affairs from ruin, can be adopted until it is demonstrated that no party can derive an advantage from it, no good can ever be done in this country. If party is to derive an advantage from the reform of India (which is more than I know, or believe), it ought to be that party which alone, in this kingdom, has its reputation, nay

its very being, pledged to the protection and preservation of that part of the empire, Great fear is expressed, that the commissioners named in this bill will shew some regard to a minister out of place. To men made like the objectors, this must appear criminal. Let it however be remembered by others, that if the commissioners should be his friends, they cannot be his slaves. But dependents are not in a condition to adhere to friends, nor to principles, nor to any uniform line of conduct. They may begin censors, and be obliged to end accomplices. They may be even put under the direction of those whom they were appointed to punish.

The fourth and last objection is, that the bill will hurt public credit. I do not know whether this requires an answer. But if it does, look to your foundations. The sinking fund is the pillar of credit in this country; and let it not be forgot, that the distresses, owing to the mismanagement of the East India Company, have already taken a million from that fund by the non-payment of duties. The bills drawn upon the Company, which are about four millions, cannot be accepted without the consent of the treasury. The treasury, acting under a parliamentary trust and authority, pledges the public for these millions. If they pledge the public, the public must have a security in its hands for the management of this interest, or the national credit is gone. For otherwise it is not only the East India Company, which is a great interest, that is undone, but, clinging to the security of all your funds, it drags down the rest, and the whole fabric perishes in one ruin. If this bill does not provide a direction of integrity and of ability competent to that trust, the objection is fatal. If it does, public credit must depend on the support of the bill.

It has been said, if you violate this charter, what security has the charter of the bank, in which public credit is so deeply concerned, and even the charter of London, in which the rights of so many subjects are involved? I answer, In the like case they have no security at all — No — no security at all. If the bank should, by every species

of mismanagement, fall into a state similar to that of the East India Company; if it should be oppressed with demands it could not answer, engagements which it could not perform, and with bills for which it could not procure payment; no charter should protect the mismanagement from correction, and such public grievances from redress. If the city of London had the means and will of destroying an empire, and of cruelly oppressing and tyrannizing over millions of men as good as themselves, the charter of the city of London should prove no sanction to such tyranny and such oppression. Charters are kept, when their purposes are maintained: they are violated, when the privilege is supported against its end and its object.

Now, Sir, I have finished all I proposed to say, as my reasons for giving my vote to this bill. If I am wrong, it is not for want of pains to know what is right. This pledge, at least, of my rectitude I have given to my country.

And now, having done my duty to the bill, let me say a word to the author. I should leave him to his own noble sentiments, if the unworthy and illiberal language with which he has been treated, beyond all example of parliamentary liberty, did not make a few words necessary; not so much in justice to him, as to my own feelings. I must say then, that it will be a distinction honourable to the age, that the rescue of the greatest number of the human race that ever were so grievously oppressed, from the greatest tyranny that was ever exercised, has fallen to the lot of abilities and dispositions equal to the task; that it has fallen to one who has the enlargement to comprehend, the spirit to undertake, and the eloquence to support, so great a measure of hazardous benevolence. His spirit is not owing to his ignorance of the state of men and things; he well knows what snares are spread about his path, from personal animosity, from court intrigues, and possibly from popular delusion. But he has put to hazard his ease, his security, his interest, his power, even his darling popularity, for the

benefit of a people whom he has never seen. This is the road that all heroes have trod before him. He is traduced and abused for his supposed motives. He will remember, that obloquy is a necessary ingredient in the composition of all true glory: he will remember, that it was not only in the Roman customs, but it is in the nature and constitution of things, that calumny and abuse are essential parts of triumph. These thoughts will support a mind, which only exists for honour, under the burthen of temporary reproach. He is doing indeed a great good; such as rarely falls to the lot, and almost as rarely coincides with the desires, of any man. Let him use his time. Let him give the whole length of the reins to his benevolence. He is now on a great eminence, where the eyes of mankind are turned to him. He may live long, he may do much. But here is the summit. He never can exceed what he does this day.

He has faults; but they are faults that though they may in a small degree tarnish the lustre, and sometimes impede the march of his abilities, have nothing in them to extinguish the fire of great virtues. In those faults, there is no mixture of deceit, of hypocrisy, of pride, of ferocity, of complexional despotism, or want of feeling for the distresses of mankind. His are faults which might exist in a descendant of Henry the Fourth of France, as they did exist in that father of his country. Henry the Fourth wished that he might live to see a fowl in the pot of every peasant in his kingdom: that sentiment of homely benevolence was worth all the splendid sayings that are recorded of kings. But he wished perhaps for more than could be obtained, and the goodness of the man exceeded the power of the king. But this gentleman, a subject, may this day say this at least, with truth, that he secures the rice in his pot to every man in India. A poet of antiquity thought it one of the first distinctions to a prince whom he meant to celebrate, that through a long succession of generations, he had been the progenitor of an able and virtuous citizen,

who by force of the arts of peace, had corrected governments of oppression, and suppressed wars of rapine:

> Indole proh quanta juvenis, quantumque daturus
> Ausoniæ populis, ventura in sæcula civem.
> Ille super Gangem, super exauditus et Indos,
> Implebit terras voce; et furialia bella
> Fulmine compescet linguæ. ———

This was what was said of the predecessor of the only person to whose eloquence it does not wrong that of the mover of this bill to be compared. But the Ganges and the Indus are the patrimony of the fame of my honourable friend, and not of Cicero. I confess, I anticipate with joy the reward of those, whose whole consequence, power, and authority, exist only for the benefit of mankind; and I carry my mind to all the people, and all the names and descriptions, that, relieved by this bill, will bless the labours of this parliament, and the confidence which the best House of Commons has given to him who the best deserves it. The little cavils of party will not be heard, where freedom and happiness will be felt. There is not a tongue, a nation, or religion in India, which will not bless the presiding care and manly beneficence of this House, and of him who proposes to you this great work. Your names will never be separated before the throne of the Divine Goodness, in whatever language, or with whatever rites, pardon is asked for sin, and reward for those who imitate the Godhead in his universal bounty to his creatures. These honours you deserve, and they will surely be paid, when all the jargon of influence, and party, and patronage, are swept into oblivion.

I have spoken what I think, and what I feel, of the mover of this bill. An honourable friend of mine, speaking of his merits, was charged with having made a studied panegyric. I don't know what his was. Mine, I am sure, is a studied panegyric; the fruit of much meditation; the result of the observation of near twenty years. For my own part, I am happy that I have lived to see this day;

I feel myself overpaid for the labours of eighteen years, when, at this late period, I am able to take my share, by one humble vote, in destroying a tyranny that exists to the disgrace of this nation, and the destruction of so large a part of the human species.

The debate continued till half past four in the morning, when the House divided on the question, that the Speaker do leave the chair: Yeas 217: Noes 103. So it was resolved in the affirmative. On the 8th of December the bill was read a third time and passed; and on the following day Mr. Secretary Fox, attended by a great number of members, presented it at the bar of the House of Lords.

Up to the above period, no symptoms had appeared, at least to the public eye, that indicated the approaching fate both of the bill and its authors. Great pains, indeed, were taken, and with considerable success, by an almost incredible circulation of pamphlets and political engravings, to inflame the nation against the measures and the persons of administration; and it was also remarked, that in the House of Commons, several of that description of members, well known by the name of king's friends, gave their votes on the side of opposition. But it was generally imagined, that as, on the one hand, the ministry was too strong to be shook by the breath of popular clamour, so on the other, it seemed to the last degree improbable that they should have adopted a measure of such infinite importance, either without knowing, or contrary to the inclinations of the king. On the first reading of the bill in the House of Lords, Earl Temple, Lord Thurlow, and the Duke of Richmond, expressed their abhorrence of the measure in the strongest and most unqualified terms. A brilliant panegyric on Mr. Hastings was pronounced by Lord Thurlow, and the flourishing state of the Company's affairs insisted on. After a short debate relative to the production of papers, on which the lords in opposition did not choose to divide the House, the second reading was fixed for Monday, December 15th. In the mean time, various rumours began to circulate, relative to some extraordinary motions in the interior of the court. It was confidently affirmed, that on the 11th of December the king signified to the Earl Temple, who had been ordered to attend him in the closet for that purpose, his disapprobation of the India bill, and authorized him to declare the same to such persons as

he might think fit; that a written note was put into his hands, in which his majesty declared, "That he should deem those who should vote for it not only not his friends, but his enemies; and that if he (Lord Temple) could put this in stronger words, he had full authority to do so." And, lastly, that in consequence of this authority, communications had been made to the same purport to several peers in the upper House; and particularly to those whose offices obliged them to attend the king's person. Some extraordinary circumstances, which happened on the 15th of December, the day of the second reading of the bill, confirmed the probability of the truth of these reports. Several lords, who had entrusted their proxies to the minister and his friends, withdrew them only a few hours before the House met; and others, whose support he had every reason to expect, gave their votes on the side of opposition. On the division, which took place upon a question of adjournment, the ministers were left in a minority of 79 to 87.

On the 17th of December, Mr. Fox's bill was rejected by the Lords, on a division of 95 to 76. At twelve o'clock on the following night a messenger delivered to the two secretaries of state his majesty's orders, "That they should deliver up the seals of their offices, and send them by the under secretaries, Mr. Frazer and Mr. Nepean, as a personal interview on the occasion would be disagreeable to him." The seals were immediately given by the king to Earl Temple, who sent letters of dismission, the day following, to the rest of the cabinet council; at the same time Mr. Pitt was appointed first lord of the treasury and chancellor of the exchequer, and Earl Gower president of the council. On the 22d, Earl Temple resigned the seals of his office, and they were delivered to Lord Sydney, as secretary of state for the home department, and to the Marquis of Carmarthen for the foreign. Lord Thurlow was appointed high chancellor of Great Britain, the Duke of Rutland lord privy seal, Lord Viscount Howe first lord of the admiralty, and the Duke of Richmond master-general of the ordnance; Mr. William Grenville and Lord Mulgrave succeeded Mr. Burke in the pay-office, and Mr. Henry Dundas was appointed to the office of treasurer of the navy. *

* The following is a list of the new administration:

First Lord of the Treasury, and Chancellor of the Exchequer — Right Hon. William Pitt.

Mr. Pitt's East India Bill.

January 16. 1784.

This day Mr. Pitt presented to the House his bill for the better government of the affairs of the East India Company. It was read a first time and ordered to be printed. On the motion, that it be read a second time that day se'nnight,

Mr. Burke observed, that there were several points in the bill that were new, and required serious investigation. The erection of a tribunal for the trial of delinquents in India was entirely new; the absurdity of it, however, could not but strike at the very first blush of it; a court made up of persons who were at one time judges and delinquents must be expected. The bill just brought *in, so far from being* built upon the grounds of the objections which had been made to the bill of his right honourable friend (Mr. Fox),

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Secretary of State for the Foreign Department — Marquis of Carmarthen.
Ditto for the Home Department — Lord Sydney.
President of the Council — Earl Gower (succeeded by Lord Camden).
Lord Privy Seal — Duke of Rutland (succeeded by Earl Gower).
First Lord of the Admiralty — Lord Howe.
Lord Chancellor — Lord Thurlow.
The above composed the cabinet.
Master-General of the Ordnance — Duke of Richmond.
Attorney-General — Lloyd Kenyon, Esq. (afterwards Lord Kenyon).
Solicitor-General — Richard Pepper Arden, Esq. (afterwards Lord Alvanley).
Joint Paymaster of the Forces — Right Hon. William Wyndham Grenville (afterwards Lord Grenville), Lord Mulgrave.
Treasurer of the Navy — Henry Dundas, Esq. (afterwards Lord Melville).
Secretary at War — Sir George Yonge, Bart.
Secretaries to the Treasury — George Rose, Esq. Thomas Steele, Esq.
Lord Lieutenant of Ireland — Duke of Rutland.
Secretary to ditto — Thomas Orde, Esq.

was founded on the reverse of those grounds: for the strongest of these objections went to run down an undue influence, and yet the new bill vested in the crown an influence paramount to any that had been created by the first bill. It put the whole East India Company into the hands of the crown; and the influence arising from the patronage would be the more dangerous, as those who were to have the distribution of the whole in reality, though perhaps not in name, would be removeable at the will and pleasure of the crown. But, it was said, the consent of the proprietors had been obtained for all that was to be taken from them. This was an insult to common sense; for he would contend, that the violation of their charter was not the less for this consent. The proprietors knew that, whether they would or not, their charter must be infringed; and therefore they were glad to purchase what the minister was pleased to leave them, by a voluntary surrender of all the rest — if that could be called a voluntary surrender, which made men give up what it was no longer in their power to keep. The felon, under sentence of death, gladly receives his majesty's pardon or remission of the sentence, on condition of transportation. Why so? because he knows, that if he refuses the pardon under this condition, he must be hanged; and therefore, melancholy a thing as banishment is to a man who loves his native country better than any other in the world, still he consents to live in exile, because, by consenting so to do, he preserves what is still dearer to him — his life. For his part, he was ready to pay homage to every corporeal and mental virtue that he could see. [A loud laugh.] Mr. Burke said, the laugh was perhaps a greater mark of ignorance and folly in those from whom it proceeded, than a proof of a blunder in any thing he had said; for he could produce an author of the very first character, in whose works he could shew the same expression. He would not, therefore, attempt to cure an expression which was far from being a blunder: he called that a corporeal virtue which depended on the body; such uncommon boldness arose from very strong nerves; and he

never knew any one more fully possessed of this corporeal virtue of boldness than the young chancellor of the exchequer, who had dared to come into office *by means the most disgraceful and unconstitutional*; and who, in defiance of the respect due to the public and to that House, dared to persevere in remaining in his present situation, contrary to the sense of that House, which had expressly declared that they had no confidence in him. And yet he had the modesty to expect that the House should proceed to examine his bill! But, surely, he ought at least to have told them whether they were to be suffered to live long enough to discuss it, and either pass or reject it. They had, indeed, got assurances from day to day, but it little became the dignity of that House to live constantly by reprieves; if their death-warrant was signed, let them die; but if it was expected that the bill should be examined and debated with candour, let the terrors of a sudden execution be removed, for under them no freedom of debate could exist. *

The motion was agreed to, and accordingly the bill was read a second time; but on the motion that it be committed, the House divided: Yeas 214: Noes 222. Mr. Pitt's bill was consequently rejected.

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* On the 24th of March the parliament was prorogued, and on the following day it was dissolved by proclamation.

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